

Message

From: Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]
Sent: 7/26/2018 6:51:19 PM
To: Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]
CC: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: RE: NERO Luncheon

Michael,

I'm teleworking today, but am happy to have a call with you.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process She is currently engaged as a speaker right now for an event in Crystal City in Arlington, Virginia. That is suppose to end at 3:30. I assume she is coming back into the office after that. Do you want to try to wait for her?

Jennie for OGC/Ethics

From: Molina, Michael
Sent: Thursday, July 26, 2018 2:45 PM
To: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: Re: NERO Luncheon

Jennie. Can I (and the coms shop) come talk to you on an ethics issue?

Michael.

Sent from my iPhone

On Jul 25, 2018, at 10:54 PM, Keith, Jennie <Keith.Jennie@epa.gov> wrote:

Evening Michael and Aaron,

OGC/Ethics recommends declining this speaking request for the Acting Administrator since he has a one-year cooling-off period with the group. If you review page 3 of his recusal statement under the heading, "Obligations under the Impartiality Provisions," the Acting Administrator cannot participate in matters involving NERO for one year from his resignation date.

This request is different than the one that Justina cleared earlier this year. I believe that request was to attend the organization's annual dinner. There, the Acting Administrator paid for his own ticket to the event. His participation was limited to being an attendee only and did not include any visible participation in the event.

Here, he is being asked to deliver a speech about EPA at a regular speaking series. This is impermissible because he is recused for one-year from participating in his official capacity in matters (such as this speaking engagement) involving NERO.

Michael, I recommend that you or the scheduling staff communicate directly with NERO, on behalf of the Acting Administrator, to decline this event. If you have other ideas or questions, please let me know! The Acting Administrator should not respond to this email, as you will do so on his behalf.

Thanks!
Jennie for OGC/Ethics

From: Fugh, Justina
Sent: Wednesday, July 25, 2018 12:47 PM
To: Molina, Michael <molina.michael@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: NERO Luncheon

Hi Michael,
Jennie Keith of Team Ethics is going to write back to you about this. Just so you know, though, Mr. Wheeler has a "covered relationship" with NERO since he was formally affiliated with it.
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004
for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Molina, Michael
Sent: Wednesday, July 25, 2018 12:39 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: NERO Luncheon

Hi Justina,

Ex. 5 - Deliberative Process and wanted your review.

Thank you.

Michael.

Sent from my iPhone

Begin forwarded message:

From: "Wheeler, Andrew" <wheeler.andrew@epa.gov>
Date: July 25, 2018 at 12:11:38 PM EDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Molina, Michael" <molina.michael@epa.gov>
Subject: Fwd: NERO Luncheon

Begin forwarded message:

From: Executive Director
<ExecutiveDirector@nationalenergyresources.com>
Date: July 25, 2018 at 11:05:52 AM EDT
To: "'wheeler.andrew@epa.gov'" <wheeler.andrew@epa.gov>
Subject: NERO Luncheon

Hi Andy,

I'm sorry to interrupt. Hopefully you received a message from us last week, asking if you could speak at an upcoming NERO lunch on Wednesday, Sept. 12; Tuesday, Sept. 24; or Tuesday, Oct 2. The Hyatt contacted us again to see if we could firm up the dates we are holding with them. I know you're extremely busy, but thought I would check back quickly to at least be sure you received the message and if you had any feel for whether any of these dates are possible. Thanks very much for your time and consideration.

Jo Ann

Jo Ann Pawela

National Energy Resources Organization

<DA Signed Recusal Statement .pdf>

Message

From: Molina, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D19C1D68DA1A4587866E1850F22A6AE5-MOLINA, MIC]
Sent: 7/26/2018 12:51:48 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
CC: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: RE: NERO Luncheon

Thank you Jennie

From: Keith, Jennie
Sent: Wednesday, July 25, 2018 10:55 PM
To: Molina, Michael <molina.michael@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: NERO Luncheon

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OGC/Ethics recommends declining this speaking request for the Acting Administrator since he has a one-year cooling-off period with the group. If you review page 3 of his recusal statement under the heading, "Obligations under the Impartiality Provisions," the Acting Administrator cannot participate in matters involving NERO for one year from his resignation date.

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Here, he is being asked to deliver a speech about EPA at a regular speaking series. This is impermissible because he is recused for one-year from participating in his official capacity in matters (such as this speaking engagement) involving NERO.

Michael, I recommend that you or the scheduling staff communicate directly with NERO, on behalf of the Acting Administrator, to decline this event. If you have other ideas or questions, please let me know! The Acting Administrator should not respond to this email, as you will do so on his behalf.

Thanks!
Jennie for OGC/Ethics

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Sent: Wednesday, July 25, 2018 12:47 PM
To: Molina, Michael <molina.michael@epa.gov>
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Subject: RE: NERO Luncheon

Hi Michael,

Jennie Keith of Team Ethics is going to write back to you about this. Just so you know, though, Mr. Wheeler has a "covered relationship" with NERO since he was formally affiliated with it.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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Sent: Wednesday, July 25, 2018 12:39 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
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Thank you.

Michael.

Sent from my iPhone

Begin forwarded message:

From: "Wheeler, Andrew" <wheeler.andrew@epa.gov>
Date: July 25, 2018 at 12:11:38 PM EDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Molina, Michael" <molina.michael@epa.gov>
Subject: Fwd: NERO Luncheon

Begin forwarded message:

From: Executive Director <ExecutiveDirector@nationalenergyresources.com>
Date: July 25, 2018 at 11:05:52 AM EDT
To: "<wheeler.andrew@epa.gov>" <wheeler.andrew@epa.gov>
Subject: NERO Luncheon

Hi Andy,

I'm sorry to interrupt. Hopefully you received a message from us last week, asking if you could speak at an upcoming NERO lunch on Wednesday, Sept. 12; Tuesday, Sept. 24; or Tuesday, Oct 2. The Hyatt contacted us again to see if we could firm up the dates we are holding with them. I know you're extremely busy, but thought I would check back quickly to at least be sure you received the message and if you had any feel for whether any of these dates are possible. Thanks very much for your time and consideration.

Jo Ann
Jo Ann Pawela
National Energy Resources Organization

Message

From: Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]
Sent: 7/17/2018 12:18:56 PM
To: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: RE: for the latest FOIA request

Can you send me this email as a pdf so I don't have the forward on it? February 14th email to Liz Bowman.

Shannon Griffo
Ethics Attorney
Office of General Counsel, Ethics
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

From: Fugh, Justina
Sent: Friday, February 23, 2018 1:27 AM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: for the latest FOIA request

This is the only document between Liz and me about Pruitt's travel

From: Fugh, Justina
Sent: Wednesday, February 14, 2018 1:45 PM
To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>
Cc: Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto: Minoli.Kevin@epa.gov)>
Subject: I answered my phone ... (maybe I should stop doing that)

.... and twice it's been reporters wanting to know about ethics clearance of waivers for Mr. Pruitt's travel. They refer to a recent Washington Post article that quotes you as saying that "ethics officials cleared the travel" or something like that. Well, oops, I say, I don't think that Ms. Bowman meant to say that the *ethics* office cleared that because we are involved only if there is the offer of third party payment for travel. But I've been clear that I'm not saying that anyone *failed* to get ethics clearance; rather, that no ethics clearance was necessary because those trips appear to be using appropriated dollars, which is not an ethics issue.

Then I got a call from someone at ProPublica who wants to know why there appears to be a discrepancy between the number of approved waivers from the Trump pledge for EPA employees (we say we have 3) but OGE has posted only two. The OGE press person seemed stumped, so they called me. Yikes!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

From: Albores, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CE14F8709A5E4AC383AF9D0B767FD8AF-RALBOR02]
Sent: 7/16/2018 4:38:42 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Mills, Derek [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b8b3681245c47d18908fd79db50a843-Mills, Dere]
CC: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: RE: ACTION: Ethics Questions About Meetings in Florida

Jennie – I will try to connect with Mr. Littlejohn today. He is a principal of the lobbying firm of Littlejohn, Mann & Associates based in Tallahassee Florida (based on some quick internet research).

R

~~~~~  
**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A  
\* Washington, DC 20460 \* email: albores.richard@epa.gov \* phone: 202.564.7102 \* mobile: 202.809.8029

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**From:** Keith, Jennie  
**Sent:** Monday, July 16, 2018 12:13 PM  
**To:** Albores, Richard <Albores.Richard@epa.gov>; Mills, Derek <Mills.Derek@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: ACTION: Ethics Questions About Meetings in Florida

Hi Rich and Derek,

Who is Jeff Littlejohn? Why is he coordinating meetings for people with seemingly disparate interests? What is the agenda for each meeting? Who will attend each meeting? Do any of the meetings concern things he worked on in his prior employment?

Thanks!  
Jennie for OGC/Ethics

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**From:** Albores, Richard  
**Sent:** Monday, July 16, 2018 10:55 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** ACTION: Ethics Questions About Meetings in Florida

Jennie – Unfortunately, I don't have much more info than what is provided below. Please take a look, and let me know if I need to get more for you to give ethics advice.

The proposed meetings below are while Matt is at the Florida Permitting Training as keynote speaker this week. He travels tomorrow.

R

~~~~~  
RICHARD L. ALBORES

Associate Deputy General Counsel * Office of General Counsel * U.S. EPA * 1200 Pennsylvania Avenue, NW * MC2310A
* Washington, DC 20460 * email: albores.richard@epa.gov * phone: 202.564.7102 * mobile: 202.809.8029

From: Leopold, Matt (OGC)

Sent: Monday, July 16, 2018 9:30 AM

To: Mills, Derek <Mills.Derek@epa.gov>

Cc: Albores, Richard <Albores.Richard@epa.gov>; Veney, Carla <Veney.Carla@epa.gov>

Subject: RE: Question About Meetings in Florida

Can you clear by ethics? Thanks

From: Mills, Derek

Sent: Friday, July 13, 2018 3:48 PM

To: Leopold, Matt (OGC) <Leopold.Matt@epa.gov>

Cc: Albores, Richard <Albores.Richard@epa.gov>; Veney, Carla <Veney.Carla@epa.gov>

Subject: Question About Meetings in Florida

Matt,

Today I received a request from Jeff Littlejohn to set up a series of meetings with you while you are in Florida on June 18. Per Jeff's email, the meetings are outlined below. Are you interested in setting up these meetings? If yes, please let me, Rich, and Carla know. Thanks!

1. Paula Cobb (Paula.Cobb@duke-energy.com), 30min
2. Herschel Vinyard (hvinyard@foley.com), Eileen Stuart (EileenS@hgslaw.com), Jeff Littlejohn (jeff@littlejohnmann.com), 45min
3. Noah Valenstein (Kelly.Williams@dep.state.fl.us) and John Truitt (John.Truitt@dep.state.fl.us), 45min

Jeff says that he has a room set aside for these meetings ("San Marco 1"), from 8:00am to 12:00pm on Wednesday 7/18.

Derek Mills

Special Assistant, Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-3341

Message

From: Mills, Derek [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0B8B3681245C47D18908FD79DB50A843-MILLS, DERE]
Sent: 7/16/2018 4:30:28 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
CC: Albores, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce14f8709a5e4ac383af9d0b767fd8af-Ralbor02]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: Re: ACTION: Ethics Questions About Meetings in Florida

Here is what I know:

Jeff Littlejohn is the organizer that I have been working with for the event in Florida on Wednesday (environmental permitting summer school). From his signature block, he seems to work at Littlejohn, Mann, and Associates. I don't know if that is a law firm.

I don't know why he is coordinating these meetings. He asked me out of the blue without context. We can ask him. He is responsive on email and phone. Rich should have his info.

I don't have an agenda for any of the meetings below, so I don't know what they want to talk about. The participants are listed. Thanks!

- Derek

Sent from my iPhone

On Jul 16, 2018, at 12:12 PM, Keith, Jennie <Keith.Jennie@epa.gov> wrote:

Hi Rich and Derek,

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Thanks!
Jennie for OGC/Ethics

From: Albores, Richard
Sent: Monday, July 16, 2018 10:55 AM
To: Keith, Jennie <Keith.Jennie@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: ACTION: Ethics Questions About Meetings in Florida

Jennie – Unfortunately, I don't have much more info than what is provided below. Please take a look, and let me know if I need to get more for you to give ethics advice.

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R

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**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A \* Washington, DC 20460 \* email: [albores.richard@epa.gov](mailto:albores.richard@epa.gov) \* phone: 202.564.7102 \* mobile: 202.809.8029

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**From:** Leopold, Matt (OGC)  
**Sent:** Monday, July 16, 2018 9:30 AM  
**To:** Mills, Derek <[Mills.Derek@epa.gov](mailto:Mills.Derek@epa.gov)>  
**Cc:** Albores, Richard <[Albores.Richard@epa.gov](mailto:Albores.Richard@epa.gov)>; Veney, Carla <[Veney.Carla@epa.gov](mailto:Veney.Carla@epa.gov)>  
**Subject:** RE: Question About Meetings in Florida

Can you clear by ethics? Thanks

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**From:** Mills, Derek  
**Sent:** Friday, July 13, 2018 3:48 PM  
**To:** Leopold, Matt (OGC) <[Leopold.Matt@epa.gov](mailto:Leopold.Matt@epa.gov)>  
**Cc:** Albores, Richard <[Albores.Richard@epa.gov](mailto:Albores.Richard@epa.gov)>; Veney, Carla <[Veney.Carla@epa.gov](mailto:Veney.Carla@epa.gov)>  
**Subject:** Question About Meetings in Florida

Matt,

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1. Paula Cobb ([Paula.Cobb@duke-energy.com](mailto:Paula.Cobb@duke-energy.com)), 30min
2. Herschel Vinyard ([hvinyard@foley.com](mailto:hvinyard@foley.com)), Eileen Stuart ([EileenS@hgslaw.com](mailto:EileenS@hgslaw.com)), Jeff Littlejohn ([jeff@littlejohnmann.com](mailto:jeff@littlejohnmann.com)), 45min
3. Noah Valenstein ([Kelly.Williams@dep.state.fl.us](mailto:Kelly.Williams@dep.state.fl.us)) and John Truitt ([John.Truitt@dep.state.fl.us](mailto:John.Truitt@dep.state.fl.us)), 45min

Jeff says that he has a room set aside for these meetings ("San Marco 1"), from 8:00am to 12:00pm on Wednesday 7/18.

**Derek Mills**  
Special Assistant, Office of General Counsel  
U.S. Environmental Protection Agency  
(202) 564-3341

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 6/22/2018 5:41:51 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Jawgiel, Steven [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=241c65e4bc984a4c94fcc00effcd2b4e-SJAWGIEL]  
**Subject:** RE: Ethics Approval: Reagan Ranch

Steve! I meant to forward you this email. I'm sorry! Jennie for OGC/Ethics

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**From:** Fugh, Justina  
**Sent:** Friday, June 22, 2018 9:11 AM  
**To:** Jawgiel, Steven <Jawgiel.Steven@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: Ethics Approval: Reagan Ranch

Hi Steve,  
My fault.

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Keith, Jennie  
**Sent:** Tuesday, June 19, 2018 9:28 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: Ethics Approval: Reagan Ranch

Evening Hayley,

Justina and I talked about this in light of the information you and I exchanged last night.

OGC/Ethics recommends not accepting this suggestion from the Region 9 folks and not adding this to the Administrator's schedule. On the face of it, there is no nexus to human health or the environment. Furthermore, OGC/Ethics considers a private tour of a ranch to be more akin to tourist activities and it would not be appropriate to use official agency resources, including staff time (even at the suggestion of Region 9 employees) to organize or coordinate this activity. I'm happy to discuss this further if you would like.

Thanks!  
Jennie for OGC/Ethics

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**From:** Ford, Hayley  
**Sent:** Tuesday, June 19, 2018 3:46 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** RE: Ethics Approval: Reagan Ranch

Jennie – Do you have an update on this?

Thanks!

***Hayley Ford***  
Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

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**From:** Ford, Hayley  
**Sent:** Tuesday, June 19, 2018 5:17 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** Re: Ethics Approval: Reagan Ranch

The RA, Mike Stoker, and Charles Munoz, who is now in the region as a senior advisor, suggested it. Casmalia superfund site is nearby.

## Ex. 5 - Deliberative Process

Thank you!

Sent from my iPhone

On Jun 18, 2018, at 10:28 PM, Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)> wrote:

Hi Haley,

Thanks for the follow up. Who in Region 9 suggested and, I'm presuming, is coordinating this tour? What superfund site is nearby?

### Ex. 5 - Deliberative Process

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I see Justina at 12:00 on Tuesday for a staff meeting.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Thanks!  
Jennie for OGC/Ethics

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**From:** Ford, Hayley  
**Sent:** Monday, June 18, 2018 9:59 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>

Cc: Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Kunding, Kelly <[kunding.kelly@epa.gov](mailto:kunding.kelly@epa.gov)>; Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>

Subject: Re: Ethics Approval: Reagan Ranch

Hi all—

Hoping to check in on the below message from a week ago. Have you made any progress here?

We need to plan this itinerary very soon.

Thank you!

Hayley

On Jun 12, 2018, at 3:19 PM, Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)> wrote:

Hello Jennie,

The Administrator is planning to be in California in the coming weeks and Region 9 has indicated they would like to set up a tour of the Reagan Ranch for him, which is nearby a Superfund event he'll be attending. The information they've provided is below. This is not a typical request and therefore I do not have a completed request form.

Please let me know if you need additional information, which I assume you may. I have also CC'ed Justina and Kevin, **Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

### Reagan Ranch

"You wanted some background information regarding the group potentially giving the Reagan Ranch tour to the Administrator.

The Reagan Ranch is owned and maintained by The Young America's Foundation. They are a 501 C 3 non-profit. They give private tours out to prominent individuals regardless of party affiliation. Their mission is essentially to teach our youth the values of former President Ronald Reagan. For more information here is their website [www.yaf.org](http://www.yaf.org)."

Thank you!

*Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

Message

---

**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 6/20/2018 1:32:46 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: Ethics Approval: Reagan Ranch

Thank you, I appreciate your guidance here. We agree and will not pursue. Thanks!

Sent from my iPhone

On Jun 19, 2018, at 9:28 PM, Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)> wrote:

Evening Hayley,

Justina and I talked about this in light of the information you and I exchanged last night.

OGC/Ethics recommends not accepting this suggestion from the Region 9 folks and not adding this to the Administrator's schedule. On the face of it, there is no nexus to human health or the environment. Furthermore, OGC/Ethics considers a private tour of a ranch to be more akin to tourist activities and it would not be appropriate to use official agency resources, including staff time (even at the suggestion of Region 9 employees) to organize or coordinate this activity. I'm happy to discuss this further if you would like.

Thanks!  
Jennie for OGC/Ethics

---

**From:** Ford, Hayley  
**Sent:** Tuesday, June 19, 2018 3:46 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** RE: Ethics Approval: Reagan Ranch

Jennie – Do you have an update on this?

Thanks!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

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**From:** Ford, Hayley  
**Sent:** Tuesday, June 19, 2018 5:17 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** Re: Ethics Approval: Reagan Ranch



The RA, Mike Stoker, and Charles Munoz, who is now in the region as a senior advisor, suggested it. Casmalia superfund site is nearby.

## Ex. 5 - Deliberative Process

Thank you!

Sent from my iPhone

On Jun 18, 2018, at 10:28 PM, Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)> wrote:

Hi Haley,

Thanks for the follow up. Who in Region 9 suggested and, I'm presuming, is coordinating this tour? What superfund site is nearby?

### Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

I see Justina at 12:00 on

Tuesday for a staff meeting.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Thanks!

Jennie for OGC/Ethics

---

**From:** Ford, Hayley

**Sent:** Monday, June 18, 2018 9:59 PM

**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>

**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Kundinger, Kelly <[kundinger.kelly@epa.gov](mailto:kundinger.kelly@epa.gov)>;

Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>

**Subject:** Re: Ethics Approval: Reagan Ranch

Hi all—

Hoping to check in on the below message from a week ago. Have you made any progress here?

We need to plan this itinerary very soon.

Thank you!

Hayley

On Jun 12, 2018, at 3:19 PM, Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)> wrote:

Hello Jennie,

The Administrator is planning to be in California in the coming weeks and Region 9 has indicated they would like to set up a tour of the Reagan Ranch for him, which is nearby a Superfund event he'll be

attending. The information they've provided is below. This is not a typical request and therefore I do not have a completed request form.

Please let me know if you need additional information, which I assume you may.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

**Reagan Ranch**

"You wanted some background information regarding the group potentially giving the Reagan Ranch tour to the Administrator. The Reagan Ranch is owned and maintained by The Young America's Foundation. They are a 501 C 3 non-profit. They give private tours out to prominent individuals regardless of party affiliation. Their mission is essentially to teach our youth the values of former President Ronald Reagan. For more information here is their website [www.yaf.org](http://www.yaf.org)."

Thank you!

*Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

Message

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**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 6/7/2018 11:38:37 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]  
**Subject:** Re: Dinner with Kay James

Yes thank you Jennie!

Sent from my iPhone

On Jun 6, 2018, at 10:53 PM, Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)> wrote:

Haley,

What is proposed here is fine. OGC/Ethics recommends using a restaurant, that way separate checks are available (rather than attending dinner at a house, which would also require payment to the host of the dinner). The Heritage Foundation is a prohibited source for the agency, so that's why the Administrator must pay for the meals of his spouse and himself (employees may not accept gifts from prohibited sources, and there are no gift exceptions to cover this kind of event, so even if other parties were to offer to pay for meals, he cannot accept that). The Administrator should maintain a record of payment (check or credit card and/or receipt of payment) to show he paid for the meals.

Thanks!

Jennie for OGC/Ethics

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**From:** Ford, Hayley  
**Sent:** Wednesday, June 06, 2018 6:58 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Kunding, Kelly <[kunding.kelly@epa.gov](mailto:kunding.kelly@epa.gov)>  
**Subject:** FW: Dinner with Kay James

Jennie –

I wanted to run the below dinner invitation by you. Kay Cole James is the President of the Heritage Foundation. Her son, Chuck James, is the former Deputy Attorney General for Virginia, and they worked together when Ken Cuccinelli was Attorney General in Virginia and the Administrator was AG of Oklahoma. They would all like to get together for dinner with their spouses. My understanding is that this would take place at a local restaurant but if that changes, I will update you. Administrator and Mrs. Pruitt would pay for their own meal.

Do you have any ethics concerns with accepting this dinner invitation?

Thank you!

## *Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

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**From:** Imoehl, James [<mailto:James.Imoehl@heritage.org>]  
**Sent:** Wednesday, June 6, 2018 1:05 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** Dinner with Kay James

Hayley,

I hope all is well with you!

Last time Mrs. James saw Administrator Pruitt they discussed getting together for dinner. The attendees were going to be Administrator and Mrs. Pruitt, Mr. and Mrs. James, and her son and his wife Mr. & Mrs. Chuck and Dawn James.

I believe Chuck used to work with the Administrator in some capacity which is why they all wanted to have dinner together.

Some initial dates of availability are:

- June 28<sup>th</sup>
- July 9<sup>th</sup>
- July 17<sup>th</sup>
- July 18<sup>th</sup>
- July 19<sup>th</sup>

Please let me know if this is something Administrator Pruitt is still interested in and if we can get a date locked in!

Thank you,  
James

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**James Imoehl**  
*Deputy Chief of Staff to the President*  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
202-608-6038  
[heritage.org](http://heritage.org)

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 5/31/2018 1:42:41 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Invitation to NERO Annual Dinner

Justina,

# Ex. 5 - Deliberative Process

Thanks!  
Jennie for OGC/Ethics

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**From:** Fugh, Justina  
**Sent:** Wednesday, May 30, 2018 5:06 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: Invitation to NERO Annual Dinner

Andrew Wheeler (the Deputy Administrator) was formerly affiliated with NERO, but he held a non fiduciary position with them so it's not impacted by the Trump pledge.

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

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**From:** Wheeler, Andrew  
**Sent:** Wednesday, May 30, 2018 3:42 PM

**To:** Fugh, Justina <Fugh.Justina@epa.gov>

**Subject:** FW: Invitation to NERO Annual Dinner

Justina, I would like to attend this dinner. I have been invited as a guest of NERO. Ideally I would like to attend without paying the government rate since they are a non-profit and have invited me. If that's not possible I'll buy a ticket. Thanks.

---

**From:** Executive Director [<mailto:ExecutiveDirector@nationalenergyresources.com>]

**Sent:** Wednesday, May 30, 2018 12:28 PM

**To:** Wheeler, Andrew <[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)>

**Cc:** Executive Director <[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)>; Carole Goeas <[Carole@goeasassociates.com](mailto:Carole@goeasassociates.com)>

**Subject:** Invitation to NERO Annual Dinner

Hi Andy,

I hope all is well! Attached, and below, is the invitation to the annual dinner. The Government rate for an individual ticket is \$75. I have also attached an informational page addressing the ethics questions we typically receive for our events. Happy to address any other questions they may have. Also, can we add you/your EPA email address to our distribution list so that you receive all invites?

*Jo Ann Pawela*

Administrative Support For Carole Goeas, Executive Director  
**National Energy Resources Organization (NERO)**

## ANNUAL AWARDS DINNER

# NERO

# 2018

*Distinguished Service Awards to*

## U.S. Senator

STEVE SCALISE  HEIDI HEITKAMP

# American Energy
































COCKTAILS 5:30

# JUNE

DINNER 7:00

21

CAPITOL HILL HYATT REGENCY

# 2018

400 NEW JERSEY AVE. NW

**◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆**

ExecutiveDirector@NationalEnergyResources.com

THIS INVITATION IS NOT TRANSFERABLE

Message

**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 5/10/2018 6:39:41 PM  
**To:** Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: ACU Repception

## Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Jennie

**From:** Keith, Jennie  
**Sent:** Thursday, May 10, 2018 2:15 PM  
**To:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** ACU Repception

Kevin and Justina, Here is the most complete email string I have of the event. My advice is right below. Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Jennie for OGC/Ethics

**From:** Keith, Jennie  
**Sent:** Wednesday, May 09, 2018 12:34 PM  
**To:** Ford, Hayley <ford.hayley@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** RE: Reception Invitation

Hi Haley,

I asked a follow up question yesterday morning while I was on the train. But now that I've reviewed this information more thoroughly and did the respective research, if the Administrator would like to attend he must pay for the gift (i.e., the reception). The American Conservative Union is a federally registered lobbyist and under the Trump Ethics Pledge, the applicable gift exception is not available, so thus, it's a prohibited gift.



If he would like to attend, he must pay, and the question to ask is the following: What is the cost/person? You may calculate this cost as a per-person cost estimate or by aggregating all tangible benefits (food, beverages, entertainment, gift bag, valet parking, etc.). How should payment be made?

Thanks!  
Jennie for OGC/Ethics

---

**From:** Ford, Hayley  
**Sent:** Tuesday, May 08, 2018 8:12 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Reception Invitation  
**Importance:** High

Hi Jennie,

The below reception is on Thursday. Can you respond very soon so we can let them know? Thank you!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Ford, Hayley  
**Sent:** Tuesday, May 1, 2018 12:08 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Reception Invitation

Hi Jennie,

I received the additional information from ACU below in red regarding this event. I didn't think it appropriate to send our normal request form, as that has a bunch of irrelevant questions more targeted towards a speaking engagement. I included all of those that I believe you look at in making your determination.

Please let me know if you have additional information regarding this event. I look forward to your ethics guidance.

Thanks!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Hi Hayley,

See below for the answers in red!

Carin

**Carin Walters**  
Director of CPAC & Events  
American Conservative Union

**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]  
**Sent:** Monday, April 30, 2018 12:39 PM  
**To:** Carin Walters <[CWalters@conservative.org](mailto:CWalters@conservative.org)>  
**Subject:** ACU Reception May 10

Hello Carin,

Administrator Pruitt received the invitation from Matt regarding the reception on May 10 and appreciates him extending it. I need to clear these types of events through Ethics to ensure we are buttoned up before he attends. Would you be able to provide a few more details so that they can complete a proper review? I've outlined the questions below.

Thank you and please let me know if you need any clarification!

- **Purpose of the Event (brief description)** This is a private reception taking place at the home of Matt Schlapp, with VIPs and members of the board of directors of the American Conservative Union.
- **Event Audience (size and brief description, e.g. 100 in attendance made up of attorneys, business owners, students, industry, etc.)** Primarily VIPs, Conservative Activists and ACU Board Members. Approximately 100 in attendance.
- **Event Host(s)/Organizer(s)** American Conservative Union and Matt Schlapp
- **Host(s)'s Relationship to EPA Administrator** Pruitt spoke at CPAC 2018
- **Run of Show / Agenda** Informal reception, taking place from 5-7pm. No formal programming will be taking place.
- **Security Contact** n/a
- **Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC)?** The ACU is a registered 501(c)(4)
- **Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift?** No
- **Will a meal be provided, and if so, what is the US currency value?** No meal, just light hors d'oeuvres

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

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**From:** Ford, Hayley  
**Sent:** Thursday, April 26, 2018 11:40 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** Re: Reception Invitation

Yes absolutely. Will have them complete. Thanks!

Sent from my iPhone

On Apr 26, 2018, at 11:32 AM, Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)> wrote:

Hi Haley,

Did the host complete an event request form? If not, would you have the host complete it? It gives me the information I need to be able to make a determination.

Thanks!

Jennie for OGC/Ethics

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**From:** Ford, Hayley

**Sent:** Wednesday, April 25, 2018 9:28 AM

**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>

**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** FW: Reception Invitation

Hello Jennie,

Could you please review the below invitation for the Administrator?

Thank you!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

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**From:** Jackson, Ryan

**Sent:** Wednesday, April 25, 2018 8:44 AM

**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Gordon, Stephen <[gordon.stephen@epa.gov](mailto:gordon.stephen@epa.gov)>

**Subject:** FW: Reception Invitation

**From:** Matt Schlapp <[MSchlapp@conservative.org](mailto:MSchlapp@conservative.org)>

**Date:** April 24, 2018 at 5:22:09 PM EDT

**Subject:** Reception Invitation

Ryan,

The American Conservative Union and our board of directors will be hosting a private cocktail reception next month. We would love if Administrator Pruitt could attend as a special guest.

Thursday, May 10, 5:00 PM – 7:00 PM

Ex. 6 - Personal Privacy

Please RSVP to Carin Walters ([cwalters@conservative.org](mailto:cwalters@conservative.org)) for more details.

Matt

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 5/10/2018 6:12:33 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Reception Invitation

## Ex. 5 - Deliberative Process

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**From:** Keith, Jennie  
**Sent:** Wednesday, May 09, 2018 12:34 PM  
**To:** Ford, Hayley <ford.hayley@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** RE: Reception Invitation

Hi Haley,

I asked a follow up question yesterday morning while I was on the train. But now that I've reviewed this information more thoroughly and did the respective research, if the Administrator would like to attend he must pay for the gift (i.e., the reception). The American Conservative Union is a federally registered lobbyist and under the Trump Ethics Pledge, the applicable gift exception is not available, so thus, it's a prohibited gift.

If he would like to attend, he must pay, and the question to ask is the following: What is the cost/person? You may calculate this cost as a per-person cost estimate or by aggregating all tangible benefits (food, beverages, entertainment, gift bag, valet parking, etc.). How should payment be made?

Thanks!  
Jennie for OGC/Ethics

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**Sent:** Tuesday, May 08, 2018 8:12 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** RE: Reception Invitation  
**Importance:** High

Hi Jennie,

The below reception is on Thursday. Can you respond very soon so we can let them know? Thank you!

*Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Ford, Hayley  
**Sent:** Tuesday, May 1, 2018 12:08 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Reception Invitation

Hi Jennie,

I received the additional information from ACU below in red regarding this event. I didn't think it appropriate to send our normal request form, as that has a bunch of irrelevant questions more targeted towards a speaking engagement. I included all of those that I believe you look at in making your determination.

Please let me know if you have additional information regarding this event. I look forward to your ethics guidance.

Thanks!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Hi Hayley,

See below for the answers in red!

Carin

**Carin Walters**  
Director of CPAC & Events  
American Conservative Union

**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]  
**Sent:** Monday, April 30, 2018 12:39 PM  
**To:** Carin Walters <[CWalters@conservative.org](mailto:CWalters@conservative.org)>  
**Subject:** ACU Reception May 10

Hello Carin,

Administrator Pruitt received the invitation from Matt regarding the reception on May 10 and appreciates him extending it. I need to clear these types of events through Ethics to ensure we are buttoned up before he attends. Would you be able to provide a few more details so that they can complete a proper review? I've outlined the questions below.

Thank you and please let me know if you need any clarification!

- **Purpose of the Event (brief description)** This is a private reception taking place at the home of Matt Schlapp, with VIPs and members of the board of directors of the American Conservative Union.

- Event Audience (size and brief description, e.g. 100 in attendance made up of attorneys, business owners, students, industry, etc.) Primarily VIPs, Conservative Activists and ACU Board Members. Approximately 100 in attendance.
- Event Host(s)/Organizer(s) American Conservative Union and Matt Schlapp
- Host(s)'s Relationship to EPA Administrator Pruitt spoke at CPAC 2018
- Run of Show / Agenda Informal reception, taking place from 5-7pm. No formal programming will be taking place.
- Security Contact n/a
- Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC)? The ACU is a registered 501(c)(4)
- Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? No
- Will a meal be provided, and if so, what is the US currency value? No meal, just light hors d'oeuvres

### *Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

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**From:** Ford, Hayley  
**Sent:** Thursday, April 26, 2018 11:40 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** Re: Reception Invitation

Yes absolutely. Will have them complete. Thanks!

Sent from my iPhone

On Apr 26, 2018, at 11:32 AM, Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)> wrote:

Hi Haley,

Did the host complete an event request form? If not, would you have the host complete it? It gives me the information I need to be able to make a determination.

Thanks!  
 Jennie for OGC/Ethics

---

**From:** Ford, Hayley  
**Sent:** Wednesday, April 25, 2018 9:28 AM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** FW: Reception Invitation

Hello Jennie,

Could you please review the below invitation for the Administrator?

Thank you!

## *Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, April 25, 2018 8:44 AM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Gordon, Stephen <[gordon.stephen@epa.gov](mailto:gordon.stephen@epa.gov)>  
**Subject:** FW: Reception Invitation

**From:** Matt Schlapp <[MSchlapp@conservative.org](mailto:MSchlapp@conservative.org)>  
**Date:** April 24, 2018 at 5:22:09 PM EDT  
**Subject:** Reception Invitation

Ryan,

The American Conservative Union and our board of directors will be hosting a private cocktail reception next month. We would love if Administrator Pruitt could attend as a special guest.

Thursday, May 10, 5:00 PM – 7:00 PM

**Ex. 6 - Personal Privacy**

Please RSVP to Carin Walters ([cwalters@conservative.org](mailto:cwalters@conservative.org)) for more details.

Matt



Message

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**From:** Dunn, Alexandra [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=426D0177EAAB4001A5C85F051565997E-DUNN, ALEXA]  
**Sent:** 3/16/2018 10:12:24 AM  
**To:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**CC:** Leopold, Matt [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4e5cdf09a3924dada6d322c6794cc4fa-Leopold, Ma]; Packard, Elise [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6d4ad4c6abb24f54a2c8c16fa17ba0fd-Packard, El]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re:

Thank you Ryan. I will follow up with OGC on next steps.

Sent from my iPhone

Alexandra Dapolito Dunn, J.D. , Regional Administrator

Region 1 New England. *This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act*

On Mar 15, 2018, at 10:16 PM, Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)> wrote:

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

Message

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**From:** Minoli, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C9C0070D651A4625AC20258369F9B050-KMINOLI]  
**Sent:** 5/11/2018 8:46:24 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Blackhawk Helicopter

**Kevin S. Minoli**

Principal Deputy General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8064

---

**From:** Hupp, Millan  
**Sent:** Friday, May 11, 2018 4:15 PM  
**To:** Minoli, Kevin <Minoli.Kevin@epa.gov>  
**Subject:** FW: Blackhawk Helicopter

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Hupp, Millan  
**Sent:** Thursday, May 10, 2018 12:14 PM  
**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** FW: Blackhawk Helicopter

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Wooden-Aguilar, Helena  
**Sent:** Wednesday, May 9, 2018 12:43 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** RE: Blackhawk Helicopter

Milian- I have checked with our finance folks (Lance McCluney) in OAES and they have no records of payment. Helena

---

**From:** Hupp, Millan  
**Sent:** Wednesday, May 09, 2018 10:26 AM  
**To:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Cc:** Wooden-Aguilar, Helena <[Wooden-Aguilar.Helena@epa.gov](mailto:Wooden-Aguilar.Helena@epa.gov)>

**Subject:** RE: Blackhawk Helicopter

I don't recall having to pay for the helicopter but Kevin was handling matters such as this at the time. I've copied Helena as she may be able to track down that information.

Helena – the date was either August 2<sup>nd</sup> or 3<sup>rd</sup> of 2017. The Administrator flew with Governor Holcomb via Blackhawk helicopter. The flight was about 1 hour. I don't recall us paying for the trip. I'm not sure that we would have been required to do so as it was a federal ride.

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Davis, Gail

**Sent:** Wednesday, May 9, 2018 10:21 AM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Blackhawk Helicopter

Hi Jahan, I will defer to Millan on this question. I don't know anything about a helicopter.

---

**From:** Wilcox, Jahan

**Sent:** Wednesday, May 09, 2018 10:19 AM

**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>

**Subject:** FW: Blackhawk Helicopter

Did we have to pay for the helicopter ride we took in Indiana?

---

**From:** Emily Holden [<mailto:eholden@politico.com>]

**Sent:** Wednesday, May 9, 2018 9:59 AM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Subject:** Re: Blackhawk Helicopter

Thanks. Did you have to pay for it?

Emily Holden  
Reporter, energy/climate

**POLITICO**

[eholden@politico.com](mailto:eholden@politico.com)

Cell: Ex. 6 - Personal Privacy  
[@emilyhholden](mailto:@emilyhholden)

On May 9, 2018, at 9:06 AM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

Please do not screen shot this but you can report on the email chain below regarding the helicopter ride.

---

**From:** Hupp, Millan

**Sent:** Wednesday, May 9, 2018 8:13 AM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>

**Cc:** McMurray, Forrest <mcmurray.forrest@epa.gov>

**Subject:** FW: Blackhawk Helicopter

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

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**From:** Fugh, Justina  
**Sent:** Monday, July 31, 2017 4:53 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Cc:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** RE: Blackhawk Helicopter

Yes, we can accept that. If it's indeed the Army National Guard, then that's federal so Gail will not have to do an ethics travel acceptance form. We can accept federal rides.

---

**From:** Hupp, Millan  
**Sent:** Monday, July 31, 2017 3:49 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Blackhawk Helicopter

Justina,

The Governor of Indiana has invited the Administrator and a few members of his team to travel from one location to another via Blackhawk helicopter. It would be operated by the National Guard while they are in Indiana on Wednesday and the Governor would be on board.

Driving is not an option as the two locations are three hours apart and would prevent them from conducting all their meetings and site visits.

Please let me know if we may do this.

Thank you,

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

Message

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**From:** Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]  
**Sent:** 3/5/2018 1:11:32 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**CC:** Wooden-Aguilar, Helena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=991ab84f64be4b6b9dd10a68c81887b0-HAWodd]  
**Subject:** RE: (ETHICS) Dinner in New York

Please let me know what confirmation would suffice.

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Monday, February 26, 2018 2:40 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Cc:** Wooden-Aguilar, Helena <[Wooden-Aguilar.Helena@epa.gov](mailto:Wooden-Aguilar.Helena@epa.gov)>  
**Subject:** RE: (ETHICS) Dinner in New York

Hi –  
Thanks for the follow up, Jennie. I assume you mean Helena Wooden-Aguilar, so I've included her here. OGC/Ethics will also want confirmation that the Administrator paid for his expenses (travel and food) so that we can close this out in our books.  
Thanks,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Keith, Jennie  
**Sent:** Monday, February 26, 2018 2:15 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** (ETHICS) Dinner in New York

Hi Millan and Gail,

This email memorializes a conversation I had with Gail Davis earlier this afternoon confirming that the Administrator may travel to New York for a social engagement this evening. The travel is done in his personal capacity as there is no

EPA business. However, because he has a 24/7 detail, the agent traveling with him may do so on official government business since that is his job and official duty.

This tracks with the phone conversation I had with Millan last Friday where I advised that should the Administrator desire to go to New York Monday evening, he must pay for the travel himself since there was no longer any government business requiring his presence there. The social engagement consists of a dinner hosted by an individual (whose name I can't remember). However, because the host is a prohibited source for the Agency, in order for the Administrator to attend the dinner, he must pay for it himself.

Millan, we need to get the value of the per person cost for the dinner and make arrangements for the Administrator to pay for the meal. Market value of the meal means food, beverages, entertainment, or other tangible benefit (e.g., valet parking) incurred by the host; or the per-person cost estimate provided by the host. Would you like me to reach out to the host to obtain the value of the meal? If so, please provide me the contact information.

I could not add Helena to this email, because I must be looking up her last name incorrectly.

Thanks!

Jennie for OGC/Ethics

Jennie Keith | Ethics Officer | Office of General Counsel | US EPA | Mail Code 2311A | Room 4313 North,  
William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip  
code) | phone 202-564-3412 | fax 202-564-1772

Message

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**From:** Beck, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=168ECB5184AC44DE95A913297F353745-BECK, NANCY]  
**Sent:** 2/26/2018 7:59:13 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]  
**Subject:** RE: question about participation.

Thanks Justina. No rush to sort it out today.

## Ex. 6 - Personal Privacy

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Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Monday, February 26, 2018 12:17 PM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>  
**Cc:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** Re: question about participation.

Hi,

Ex. 6 - Personal Privacy

Can't type a cogent response here. Will be back in

touch later.

Ex. 5 - Deliberative Process

Justina

Sent from my iPhone

On Feb 26, 2018, at 11:04 AM, Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)> wrote:

Definitely no political fundraising..

And yes, press is everywhere. I'm cognizant of that. I wouldn't say anything that isn't already public.

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Bowman, Liz  
**Sent:** Monday, February 26, 2018 11:01 AM  
**To:** Beck, Nancy <[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: question about participation.

# Ex. 5 - Deliberative Process

**From:** Beck, Nancy

**Sent:** Monday, February 26, 2018 10:50 AM

**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>

**Subject:** question about participation.

Ladies,

I wanted to get your thoughts on something

## Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

I will be at the annual Society of Toxicology meeting in a few weeks. About 7000 people. Many formal presentations and lots of exhibitor run sessions.

One of the exhibitors (ToxStrategies) that does consulting work for industry and govt has asked if I can give a talk at one of their sessions. They would have flyers and emails that would note that I'm speaking at their booth/sponsored session.

## Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Thanks,

Nancy

\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator

Office of Chemical Safety and Pollution Prevention

P: 202-564-1273

M: Ex. 6 - Personal Privacy

beck.nancy@epa.gov



Message

**From:** Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]  
**Sent:** 2/23/2018 4:49:00 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**Subject:** Re: AFA Request for EPA Administrator Pruitt

What you're describing is what he's doing. He's not campaigning or soliciting money for a candidate.

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Feb 23, 2018, at 10:58 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Alas, the Hatch Act prohibition is not just for fundraising. He can't use his official authority in connection with any political activity. In other words, he can give an official speech about "agency policies, update from DC, outlook for regulation consideration for those in the energy industry" as the EPA Administrator. But then he absolutely cannot advocate for or against any candidate for partisan election, or encourage the attendees to vote or not vote or to otherwise solicit or discourage their political participation.

We just have to be sure that the America First people understand that they can have him in official capacity to give an official speech (that will not involve any political activity), or in a purely personal capacity without reference to EPA, but not both.

And they already know that they have to pay for his travel.

Justina

---

**From:** Jackson, Ryan  
**Sent:** Friday, February 23, 2018 6:13 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** Re: AFA Request for EPA Administrator Pruitt

They probably do have business pending before epa generally.

This is a political event but he's participating in a Q&A about agency policies, update from DC, outlook for regulation consideration for those in the energy industry which in this case are coal and natural gas producers and maybe a couple of electricity utility types.

He's not raising money for a candidate.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Feb 23, 2018, at 1:17 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Hayley,

According to the request, Mr. Pruitt would be addressing 25-30 people in the "energy field." What does that mean? My concern is that, under the Hatch Act, Mr. Pruitt is prohibited from knowingly soliciting or discouraging participation in any political activity of any person who has business pending with EPA, such as any application for any compensation grant, contract, ruling, license, permit, or certificate, or if the person or entity is the subject of, or a participant in, an ongoing audit, investigation, or enforcement action being carried out by EPA. So I am concerned about the fact that the audience is specifically "energy" people, which raises the concern that they have business pending with EPA. And if they do have business with EPA, then he cannot participate.

Can they send us a list of the proposed attendees?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ford, Hayley

**Sent:** Thursday, February 22, 2018 3:56 PM

**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>

**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Subject:** FW: AFA Request for EPA Administrator Pruitt

**Importance:** High

Hi Justina,

Attached is a speaking request for the Administrator to speak with a group in Pittsburgh next Tuesday. This is a political event and he would like to attend if cleared through you. They indicated to Ryan that they are willing to cover all costs associated with his participation in this event. He will already be in NY for official travel, so this group would cover the cost to fly him to Pittsburgh and then back to DC.

Can you review please and let us know your guidance? I will send them the guidelines for his participation in political events as we discussed was the process.

Thank you!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

**From:** Ann Pierce [<mailto:ann@a1apac.org>]

**Sent:** Thursday, February 22, 2018 12:33 PM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Cc:** Joseph Ahearn <[joe@a1apac.org](mailto:joe@a1apac.org)>; Brian Walsh <[brian@a1apac.org](mailto:brian@a1apac.org)>

**Subject:** Re: AFA Request for EPA Administrator Pruitt

Hi Hayley-

Attached is the completed form. Please let us know if you need anything further on our end.

Thanks so much, and have a great day!

Ann

On Thu, Feb 22, 2018 at 9:33 AM, Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)> wrote:

Hello Ann and Joseph,

Thank you for this request. I've attached here our speaking request form that will ask for a bit more information. Would you mind completing this at your earliest convenience? I know this is coming up very quickly so as soon as I receive it we can proceed with determining if we're able to make this work.

Thank you!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

**From:** Ann Pierce [mailto:[ann@a1apac.org](mailto:ann@a1apac.org)]  
**Sent:** Wednesday, February 21, 2018 6:57 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Joseph Ahearn <[joe@a1apac.org](mailto:joe@a1apac.org)>  
**Subject:** AFA Request for EPA Administrator Pruitt

Good evening-

Please see attached request from America First Action for EPA Administrator Pruitt on February 27, 2018.

Please give me a call if you have any questions. Thank you so much, and have a great night!

Ann

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--

Ann S. Pierce

*Deputy Finance Director*

**America First Action**

1400 Crystal Drive  
Suite 850  
Arlington, VA 22202  
O: 571.348.1801  
C: Ex. 6 - Personal Privacy  
E: ann@a1apac.org

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Ann S. Pierce  
*Deputy Finance Director*  
**America First Action**  
1400 Crystal Drive  
Suite 850  
Arlington, VA 22202  
O: 571.348.1801  
C: Ex. 6 - Personal Privacy  
E: ann@a1apac.org

Message

---

**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 2/22/2018 8:55:52 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**Subject:** FW: AFA Request for EPA Administrator Pruitt  
**Attachments:** EPA Administrator Pruitt Speaker Request Form.docx

**Importance:** High

Hi Justina,

Attached is a speaking request for the Administrator to speak with a group in Pittsburgh next Tuesday. This is a political event and he would like to attend if cleared through you. They indicated to Ryan that they are willing to cover all costs associated with his participation in this event. He will already be in NY for official travel, so this group would cover the cost to fly him to Pittsburgh and then back to DC.

Can you review please and let us know your guidance? I will send them the guidelines for his participation in political events as we discussed was the process.

Thank you!

*Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

**From:** Ann Pierce [mailto:ann@a1apac.org]  
**Sent:** Thursday, February 22, 2018 12:33 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Joseph Ahearn <[joe@a1apac.org](mailto:joe@a1apac.org)>; Brian Walsh <[brian@a1apac.org](mailto:brian@a1apac.org)>  
**Subject:** Re: AFA Request for EPA Administrator Pruitt

Hi Hayley-

Attached is the completed form. Please let us know if you need anything further on our end.

Thanks so much, and have a great day!  
Ann

On Thu, Feb 22, 2018 at 9:33 AM, Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)> wrote:

Hello Ann and Joseph,

Thank you for this request. I've attached here our speaking request form that will ask for a bit more information. Would you mind completing this at your earliest convenience? I know this is coming up very quickly so as soon as I receive it we can proceed with determining if we're able to make this work.

Thank you!

*Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: Ex. 6 - Personal Privacy

**From:** Ann Pierce [mailto:[ann@a1apac.org](mailto:ann@a1apac.org)]  
**Sent:** Wednesday, February 21, 2018 6:57 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Joseph Ahearn <[joe@a1apac.org](mailto:joe@a1apac.org)>  
**Subject:** AFA Request for EPA Administrator Pruitt

Good evening-

Please see attached request from America First Action for EPA Administrator Pruitt on February 27, 2018.

Please give me a call if you have any questions. Thank you so much, and have a great night!

Ann

--

--

Ann S. Pierce

*Deputy Finance Director*

**America First Action**

1400 Crystal Drive

Suite 850

Arlington, VA 22202

O: 571.348.1801

C: Ex. 6 - Personal Privacy

E: [ann@afapac.org](mailto:ann@afapac.org)

--

--

Ann S. Pierce

*Deputy Finance Director*

**America First Action**

1400 Crystal Drive

Suite 850

Arlington, VA 22202

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C: 202.903.5647

E: [ann@afapac.org](mailto:ann@afapac.org)





**ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM**  
**U.S. Environmental Protection Agency**

**Deadline for Acceptance:** ASAP

**Requesting Individual / Affiliation:** America First Action

**Event Title:** America First Action Luncheon with Scott Pruitt, EPA Administrator

**Event Date:** February 27, 2018

**Is the Above Date Flexible:** No

**Event Time & Duration:** 1:15p-2:15p EST

**Type of Event:** Luncheon

**Purpose of the Event:** Meet and Greet

**Role of the Administrator:** Roundtable

**Requested Presentation Topic, if Speaking Involved:** \_\_\_\_\_

**Requested Presentation Format:** Q&A: General Conversation with Guests

**Speech/Presentation Duration:** 1 hour

**Would You Consider a Surrogate:** No

**Event Location:** Duquesne Club  
325 Sixth Avenue, Pittsburgh, PA 15222  
412.391.1500

**Event Audience:** 25-30 people in the energy field

**Event Host(s)/Organizer(s):** America First Action (Joe Ahearn)

**Host(s)' Relationship to EPA:** None

**Run of Show/ Agenda:** 1:15p- Introduction by America First Action Board Member, Harold Hamm; 1:20-p Luncheon with general Q&A and conversation ; 2:15p- End of Luncheon

**Is there a Hold Room Available for the Administrator?** \_\_\_\_\_

**Open Press/Closed Press?** Closed



## ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM U.S. Environmental Protection Agency

|                                                                                                          |                                                                                                 |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Dress Code:                                                                                              | <u>Business</u>                                                                                 |
| Teleprompter Available:                                                                                  | <u>N/A</u>                                                                                      |
| Microphone / Room Setup:                                                                                 | <u>N/A</u>                                                                                      |
| Honorable Guests Attending:                                                                              | <u>None (other than the Administrator)</u>                                                      |
| Notable Federal, State or Local Appointed or Elected officials attending:                                | <u>None</u>                                                                                     |
| Individual Introducing Administrator:                                                                    | <u>Harold Hamm, America First Action Board Member</u>                                           |
| Person to contact for media purposes:                                                                    | <u>Erin Montgomery, (Ex. 6 - Personal Privacy) America First Action Communications Director</u> |
| How will you promote this event?                                                                         | <u>Invitation Only</u>                                                                          |
| Is this event held Weekly, Monthly, Annually?                                                            | <u>No</u>                                                                                       |
| Day of Event Point of Contact:                                                                           | <u>Joe Ahearn, (Ex. 6 - Personal Privacy) OR: Ann Pierce, (Ex. 6 - Personal Privacy)</u>        |
| Security Contact:                                                                                        | <u></u>                                                                                         |
| Suggested Entrance/ Exit to Event Venue:                                                                 | <u></u>                                                                                         |
| Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):     | <u>Yes- an I.R.C. § 527 political organization registered with the FEC</u>                      |
| Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? | <u>No</u>                                                                                       |
| Will a meal be provided, if so what is the US currency value?                                            | <u>Yes</u>                                                                                      |

*Please return this completed form to Hayley Ford at [ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)*

Message

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**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 3/1/2018 12:06:39 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: AFA Request for EPA Administrator Pruitt

He did not as he got a White House meeting scheduled during the same time.

Sent from my iPhone

On Mar 1, 2018, at 12:25 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Did the Administrator go to this event? If so, I need to follow up for billing.

---

**From:** Jackson, Ryan  
**Sent:** Friday, February 23, 2018 6:13 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** Re: AFA Request for EPA Administrator Pruitt

They probably do have business pending before epa generally.

This is a political event but he's participating in a Q&A about agency policies, update from DC, outlook for regulation consideration for those in the energy industry which in this case are coal and natural gas producers and maybe a couple of electricity utility types.

He's not raising money for a candidate.

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Feb 23, 2018, at 1:17 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Hayley,  
According to the request, Mr. Pruitt would be addressing 25-30 people in the "energy field." What does that mean? My concern is that, under the Hatch Act, Mr. Pruitt is prohibited from knowingly soliciting or discouraging participation in any political activity of any person who has business pending with EPA, such as any application for any compensation grant, contract, ruling, license, permit, or

certificate, or if the person or entity is the subject of, or a participant in, an ongoing audit, investigation, or enforcement action being carried out by EPA. So I am concerned about the fact that the audience is specifically "energy" people, which raises the concern that they have business pending with EPA. And if they do have business with EPA, then he cannot participate.

Can they send us a list of the proposed attendees?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley  
**Sent:** Thursday, February 22, 2018 3:56 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** FW: AFA Request for EPA Administrator Pruitt  
**Importance:** High

Hi Justina,

Attached is a speaking request for the Administrator to speak with a group in Pittsburgh next Tuesday. This is a political event and he would like to attend if cleared through you. They indicated to Ryan that they are willing to cover all costs associated with his participation in this event. He will already be in NY for official travel, so this group would cover the cost to fly him to Pittsburgh and then back to DC.

Can you review please and let us know your guidance? I will send them the guidelines for his participation in political events as we discussed was the process.

Thank you!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

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**Sent:** Thursday, February 22, 2018 12:33 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Joseph Ahearn <[joe@a1apac.org](mailto:joe@a1apac.org)>; Brian Walsh <[brian@a1apac.org](mailto:brian@a1apac.org)>  
**Subject:** Re: AFA Request for EPA Administrator Pruitt

Hi Hayley-

Attached is the completed form. Please let us know if you need anything further on our end.

Thanks so much, and have a great day!  
Ann

On Thu, Feb 22, 2018 at 9:33 AM, Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)> wrote:

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Thank you!


***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: [202-564-2022](tel:202-564-2022)

Cell:  Ex. 6 - Personal Privacy

**From:** Ann Pierce [mailto:[ann@a1apac.org](mailto:ann@a1apac.org)]

**Sent:** Wednesday, February 21, 2018 6:57 PM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Cc:** Joseph Ahearn <[joe@a1apac.org](mailto:joe@a1apac.org)>

**Subject:** AFA Request for EPA Administrator Pruitt

Good evening-

Please see attached request from America First Action for EPA Administrator Pruitt on February 27, 2018.

Please give me a call if you have any questions. Thank you so much, and have a great night!

Ann

--

--

Ann S. Pierce

*Deputy Finance Director*

**America First Action**

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C: Ex. 6 - Personal Privacy

E: [ann@afapac.org](mailto:ann@afapac.org)

--

--

Ann S. Pierce

*Deputy Finance Director*

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Suite 850

Arlington, VA 22202

O: 571.348.1801

C: 202.903.5647

E: [ann@afapac.org](mailto:ann@afapac.org)

Message

---

**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 3/7/2018 12:28:40 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: Administrator Pruitt Visit

This still concerns an April event for the National Mining Association

---

**From:** Fugh, Justina  
**Sent:** Tuesday, April 18, 2017 2:05 PM  
**To:** Hupp, Millan <hupp.millan@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: Administrator Pruitt Visit

If the Administrator wants the hard hat for himself, then he needs to pay for it out of his own pocket (not yours!).

---

**From:** Hupp, Millan  
**Sent:** Tuesday, April 18, 2017 1:44 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: Administrator Pruitt Visit

Who would pay for the gift? Would that be me?

Millan Hupp  
202.380.7561

Sent from my iPhone

On Apr 18, 2017, at 12:25 PM, Keith, Jennie <Keith.Jennie@epa.gov> wrote:

Millan,

I thought this was same hard hat request because Justina has pictures in her office of another hard hat with his name on it – and so I thought they were the same question! It turns out they are different requests. I guess hard hats are a thing! No hard hats! The National Mining Association is a federally registered lobbyist and under the lobbyist gift ban, the hard hat is not acceptable. Of course, paying for the hard hat takes it out of the gift rules, so paying for the gift is always an option. Let me know if I can be of further assistance!

Thanks!  
Jennie for OGC/Ethics  
202-564-3412

---

**From:** Hupp, Millan  
**Sent:** Monday, April 17, 2017 11:40 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: Administrator Pruitt Visit

May we accept this or should I advise to please not gift it?

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Monday, April 17, 2017 11:39 AM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

I hope this is the last one for the day... we are planning to give Administrator Pruitt a hand painted hard hat with his name. Our legal counsel said it would o.k. based on the gift rules but I want to be sure based on your note in an earlier email today.

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Monday, April 17, 2017 11:32 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

Yes, of course. That is no problem.

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Monday, April 17, 2017 11:31 AM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Sorry...are you o.k. if we put the sign outside of the room?

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Monday, April 17, 2017 11:25 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

Not at all. He just cannot accept any gifts, awards, or designations.

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Monday, April 17, 2017 11:24 AM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>



**Subject:** RE: Administrator Pruitt Visit

**Importance:** High

Millan:

Do you have a problem if we do a sign that will be in the room where we are having lunch that will welcome Administrator Pruitt and acknowledges the luncheon sponsor?  
Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mpheleps@nma.org](mailto:mpheleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]

**Sent:** Sunday, April 16, 2017 4:38 PM

**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>

**Subject:** Re: Administrator Pruitt Visit

Perfect. Thank you, Moya.

Millan Hupp  
202.380.7561

Sent from my iPhone

On Apr 16, 2017, at 3:02 PM, Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)> wrote:

Millan:

Kevin Crutchfield, CEO of Contura Energy and NMA's Chairman will introduce Administrator Pruitt.

The attached list that I sent earlier is NMA's Executive Committee. Everyone should be at the meeting but Mr. Goldberg and Mr. McMullen who will call into the meeting.

Regarding the meeting on Sunday, April 23 at Noon for the walk-thru, we should meet in the lobby. The following individuals will be participating from the hotel:

Taylor Svoboda  
Meetings and Special Events Manager  
The Ritz-Carlton Golf Resort, Naples

Matthew Murphy  
Loss Prevention Supervisor  
The Ritz-Carlton Golf Resort, Naples

I will be at the meeting as well.

Please let me know if you have any further questions or need anything.  
Thank you.  
Moya

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Sunday, April 16, 2017 10:37 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** Re: Administrator Pruitt Visit

Moya,

Do you happen to know yet who will be introducing the Administrator?

Also, the list of board members your sent me, if that the list of folks that will be in the Executive meeting?

Thanks so much,

Millan

---

**From:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Sent:** Tuesday, April 11, 2017 4:08:46 PM  
**To:** Hupp, Millan  
**Subject:** RE: Administrator Pruitt Visit

Millan:

The lunch will be in Tiberon #3 and the meeting with the Executive Committee will be in Anhinga. Our office will be available should you need a holding space. It is Sabal Palm. A map of the meeting room space is attached.

A list of NMA's Executive Committee is attached. If you need additional information on the companies, please let me know.

We are confirmed for a walk through on Sunday, April 23 at Noon. I will let you know where we will meet.

Best regards,  
Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Tuesday, April 11, 2017 10:40 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

So sorry – just a couple more questions.

Could you please remind me of the name of the room where he will be speaking? Also, will you have a hold available should we need it?

Thank you so much.  
Millan

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Tuesday, April 11, 2017 10:35 AM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Millan:  
Good morning. Thank you for the information below. Thanks for providing the information regarding Lincoln Ferguson and JP Freire.  
Derek Burke  
Office: 239-254-3396

We will be meeting this afternoon and I will let you know who will be introducing Administrator Pruitt. I will send you a list of the Executive Committee members by the end of the day.

We will contact the hotel regarding a walk-through at Noon on Sunday and get back to you.  
Let me know if there is anything further.  
Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Tuesday, April 11, 2017 9:47 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

Moya,

May we schedule a walk-through on Sunday, April 23<sup>rd</sup> at 12PM?

Traveling with him will likely be Lincoln Ferguson and JP Freire.

Do you have a phone number for Derek Burke?

The Administrator will not eat and he will probably only request coffee for the meeting with the Executive Committee. Also, could you please send me the names of those on the Exec. Committee that he should expect to meet?

Thank you so much,  
Millan

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]

**Sent:** Thursday, April 6, 2017 8:16 AM

**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Millan:

Thank you for the schedule and we appreciate the time from his schedule to speak with the Board of Directors. When you know who will be accompanying Administrator Pruitt, please let me know.

I will be arriving on Saturday and can meet with you on Sunday at any time that works for you and the security team. I know the security team will be in contact with Derek Burke at the Ritz Carlton but please let me know if you need anything from NMA.

Given the schedule, we thought we would serve lunch and then Administrator Pruitt will speak. Will he want to have lunch? If not, would you like us to have something for him when he meets with the Executive Committee?

Enjoy the day.

Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]

**Sent:** Thursday, April 6, 2017 7:59 AM

**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>

**Subject:** RE: Administrator Pruitt Visit

Moya,

Good morning to you! I will be there a day before to advance the event with a member of his security team. He will definitely have one, maybe two staff members traveling with him.

He will arrive into Ft. Myers at 12:35PM on Monday so we have him arriving at the hotel at 1:20. Speech at 1:30PM and meeting with Executive Board members at 2:15PM. He will have to depart by 3PM for his 5PM flight back to DC. Unfortunately, I don't think there will be any extra time for additional meetings. I'm so sorry!

Thank you very much,  
Millan

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Wednesday, April 5, 2017 5:13 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Millan:  
Good afternoon! Do you know if anyone will be coming with Administrator Pruitt? I want to be sure the room is set properly for the meeting with NMA's Executive Committee.

I have been if we know when he will be leaving and if the schedule permits any additional conversations. I believe there may have been a conversation with Ric Nolan, our Senior Vice President of Government Affairs, and Ryan Jackson.  
Thanks very much.  
Moya

<image001.png>

Moya Phelleps  
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101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Friday, March 31, 2017 2:59 PM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

If that is an option, we would certainly take it. We may not need one but it would be great to have it just in case. Thank you!

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Friday, March 31, 2017 2:55 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Millan

Thank you so much! Let me know if you think you will want to have a meeting room available for your use on Monday.  
Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
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[mpheleps@nma.org](mailto:mpheleps@nma.org)

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Friday, March 31, 2017 2:35 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>; Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

Moya – I'm so glad we could get this worked out!

I think that a 1:30 or 1:45 speech then meet with the Executive Committee might be a little better. If he gets in a 12:35 and it is a 30 minute drive, that would put him there just after one and I would want to add a little bit of buffer time in there as well.

On the hotel rooms, I am going to do an email intro for you to our travel coordinator. She will want to be the one to work with you to arrange the accommodations.

Thank you!

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**From:** Hupp, Sydney  
**Sent:** Friday, March 31, 2017 1:42 PM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Love the schedule! Millan can weigh in on the other questions!

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Friday, March 31, 2017 1:33 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Sydney:

Thank you to both you and Millan for working so hard to get this to work! Does this work for your schedule:

1-2 p.m. lunch – Speak at the lunch  
After lunch – meet with Executive Committee

Millan:

I assume you will need two rooms on Sunday night for you and an agent from the security team. Do you want to make the reservations or are you o.k. with us making the reservations and letting the hotel know that payment information will be provided at check-in. I am not sure how long you will be at the hotel but do you need a meeting room or space for the Administrator to use?

I am sure there will be additional details and look forward to working with you. Please do not hesitate to contact me at any time.

Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mpheleps@nma.org](mailto:mpheleps@nma.org)

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**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]

**Sent:** Friday, March 31, 2017 1:07 PM

**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Thank you Moya! It will be wonderful to see the Crafts. So, good news-- we were able to get the flight we wanted. We will land at Ft. Myer at 12:35PM and the security detail will be there ready to transport him, which puts us back to the original request of doing things in the early afternoon. Being much more familiar than we are, does that arrival time help in the planning process, I hope? My apologies for it taking a while to work out on our end.

Thank you!

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]

**Sent:** Friday, March 31, 2017 12:32 PM

**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Millan:

Apologies for not getting the list of attendees to you sooner. It is as of today – March 31. We are expecting approx. 100 people.

NMA's Chairman is Kevin Crutchfield, CEO, Contura Energy  
NMA's Vice Chairman is Phillips Baker, Jr., President and CEO Hecla Mining

As information Joe and Kelly Craft, Alliance Resource Partners , will be at the meeting.

Please let me know if you need additional details.  
Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mpheleps@nma.org](mailto:mpheleps@nma.org)

---

**From:** Phelleps, Moya  
**Sent:** Thursday, March 30, 2017 8:28 PM  
**To:** 'Hupp, Millan' <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Millan:

We can certainly get you the two and even three rooms in our block for Sunday night. Do you want to make the reservations or are you o.k with us making the reservations and letting the hotel know that payment information will be provided at check-in.

The meeting with the Executive Committee is very flexible and we can make it work for your schedule. Regarding the remarks to the Board, before lunch is fine but is there any possibility to make it 11:30 or Noon. It is not unusual for us to have a speaker address the board, leave immediately after and then we serve lunch.

Do you have a few minutes to get on the phone? It may be easier just to talk it through. I am in the office by 7:30 or if this evening is better, please feel free to call my cell –

My office number is 202-463-2639.

Thank you very much.  
Moya

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Thursday, March 30, 2017 7:07 PM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Also, I will be traveling out on Sunday evening along with an agent from his security team to advance the event. Do you have a block of rooms that we might be able to book under? If the Administrator travels out, we will probably need three rooms.



Thank you!

---

**From:** Hupp, Millan

**Sent:** Thursday, March 30, 2017 7:03 PM

**To:** 'Phelleps, Moya' <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Moya,

Given our flight options and the fact that he will be coming from Tulsa, would it be possible to do the proposed meeting at maybe 10AM then he speak at 11AM before their lunch gets started? We may choose to fly him into Naples on Sunday evening so we are just thinking to maximize his time on the ground in FL. If we push everything up just a little bit, we can get him back to DC sooner.

Look forward to hearing from you! Thank you so much.

Millan

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]

**Sent:** Thursday, March 30, 2017 9:58 AM

**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>

**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Sydney:

So apology is necessary...we completely understand and are flexible. If we can be of any assistance, but let me know.

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

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**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]

**Sent:** Thursday, March 30, 2017 9:09 AM

**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>

**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Hi Moya,

We would be happy to do the meeting! The flight we want in order to get to you at the right time is sold out. Our travel coordinator is trying to work some magic to get that remedied. If she isn't able we will be working to figure out an alternative flight option. I am so sorry for the delay in getting you a definite time!

Sydney Hupp

Office of the Administrator- Scheduling

202.816.1659

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Wednesday, March 29, 2017 3:01 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit  
**Importance:** High

Sydney:

I just got out of a meeting on the board meeting and wanted to get to you ASAP. It would be great if Administrator Pruitt would have time for a short meeting with NMA's Executive Committee in addition to his lunch remarks. I can work that meeting around his schedule but I am hoping that the travel will permit it. It would be a meeting with 10-15 people. Thanks very much!

Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

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**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]  
**Sent:** Wednesday, March 29, 2017 10:59 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Hi Moya,

Please never hesitate to reach out! Our travel coordinator is taking another look at flights today and then we should be able to pinpoint a time.

Thanks!

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Wednesday, March 29, 2017 10:53 AM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Sydney:

I know this has been a crazy time for you. Just checking in with you to see if you have a better idea of the timing for Administrator Pruitt's remarks on April 24.

Thank you.

Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mpheleps@nma.org](mailto:mpheleps@nma.org)

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**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]

**Sent:** Thursday, March 23, 2017 12:13 PM

**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Thank you! That has a little buffer built in. We are meeting tomorrow over April travel so I am hopeful to have more information for you then. Thank you for your quick response!

Best,  
Sydney

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]

**Sent:** Thursday, March 23, 2017 11:19 AM

**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Administrator Pruitt Visit

Sydney:

Good morning! I know you want to come in and out on the same day. We can make the 1:30 or 2 p.m. work...we will just start lunch a little later. Is that time arrival at the hotel or is a buffer built in?

I have the timing for the General Session on hold until the timing for Administrator Pruitt is worked. Please let me know once you have the flights worked out.

Also, attached is the form with the contact information for security at the Ritz Carlton.

Thank you.

Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mpheleps@nma.org](mailto:mpheleps@nma.org)

---

**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]  
**Sent:** Thursday, March 23, 2017 10:46 AM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Subject:** RE: Administrator Pruitt Visit

Hi Moya,

Looking at flights we might not be able to make the lunch time frame. To play it safe, would it be possible for us to speak closer to 1:30 or 2?

Thank you!  
Sydney

---

**From:** Hupp, Millan  
**Sent:** Wednesday, March 22, 2017 8:48 PM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Thank you so much, Moya. I'll be reaching out in the near future to discuss logistics.

Warm regards,  
Millan

---

**From:** Phelleps, Moya [<mailto:MPhelleps@nma.org>]  
**Sent:** Wednesday, March 22, 2017 2:32 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Administrator Pruitt Visit

Sydney and Millan:  
NMA is very pleased that EPA Administrator Pruitt will be the luncheon speaker at our spring board of directors meeting. Attached is the speaker form with the information requested except for the security contact and the cost for the lunch. Both will be provided as soon as possible but I did not want to hold up sending you the form.

Please let me know if you have any questions, need further information, etc. Please feel free to contact me at any time. My cell is Ex. 6 - Personal Privacy

I look forward to working with both of you.  
Best regards,  
Moya

<image001.png>

Moya Phelleps  
Senior Vice President, Member Services  
National Mining Association  
101 Constitution Ave. NW, Suite 500 East  
Washington, D.C. 20001  
Phone: (202) 463-2600  
Direct: (202) 463-2639  
[mphelleps@nma.org](mailto:mphelleps@nma.org)

---

**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]  
**Sent:** Wednesday, March 22, 2017 11:06 AM  
**To:** Phelleps, Moya <[MPhelleps@nma.org](mailto:MPhelleps@nma.org)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** Administrator Pruitt Visit

Hi again Moya,

Thank you for your time on the phone earlier. I am attaching an event request form with some basic questions that will help us out in the planning of this trip. Would you mind filling it out for us please? Also copying Millan Hupp on this email (my sister) who handles the advance work for Administrator Pruitt. She will likely be making the trip down there as well.

We look forward to Florida!

Thank you!  
Sydney Hupp

<National Mining Association Executive Committee.docx>

Message

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**From:** Soltani, Beth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=03064C9196634648B70375F541A7D07E-SOLTANI, BETH A.]  
**Sent:** 2/28/2018 12:45:00 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Sign up Now for NYC Biodiesel Tour - Registration Extended

Thanks Justina.

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**From:** Fugh, Justina  
**Sent:** Tuesday, February 27, 2018 5:41 PM  
**To:** Soltani, Beth <Soltani.Beth@epa.gov>  
**Subject:** RE: Sign up Now for NYC Biodiesel Tour - Registration Extended

Hey Beth,

Thanks for clarifying that the invitation is transferrable and that Pete is hoping that Chris Lyon may attend. Unlike the rest of the participants, who are coming from DC, Chris will already be in NYC, so he will be picking up the tour at the NYC sanitation department.

As an Administratively Determined appointee (which is not a political appointment because it is not vetted through the White House), Chris is subject to the Standards of Ethical Conduct for Employees of the Executive Branch, which include specific provisions regarding gifts. He cannot accept gifts that are given to him because of his official position or that are proffered by a prohibited source. To be clear, this entire event is sponsored by a prohibited entity and offered because of his official position. So we have to determine whether any exclusion or exception to the gift rules will apply to permit Chris to participate.

Here's the agenda, with my questions in red:

**8:30 a.m. to 10:30 a.m.**

**Orientation meeting at New York City Sanitation Department, 52-35, 58<sup>th</sup> St. Woodside, NY (a continental breakfast will be provided)** JUSTINA: Who is paying for the breakfast? How much is it per person? Under the gift rules, Chris cannot accept a meal because of his official position. But if the breakfast is \$20 or less per person (based on actual cost, including any gratuity), then it will fit the gift exception at 5 CFR 2635.204(a) and he can eat it. Someone has to find out the cost of the breakfast and tell an ethics official (like Mitch Cohen or me) so that a formal determination can be made. Otherwise, he has to pay for the breakfast out of his own pocket (and can't claim per diem because he's not in travel status) or show up after breakfast.

- **New York City Department of Sanitation Deputy Commissioner Rocco DiRico – Welcome and NYC Sanitation Biodiesel Overview**

The New York City Department of Sanitation is the largest sanitation department in the world with over 7,200 uniformed sanitation workers and supervisors, 2,041 civilian workers, 2,230 collection trucks, 275 specialized collection trucks, 450 street sweepers, 365 salt and sand spreaders, 298 front end loaders, 2,360 support vehicles, and handles over 12,000 tons of residential and institutional refuse and recyclables a day. Here you will hear of their biodiesel

and BioHeat use and experiences, see their emissions testing lab and hear of the commitment New York City has to the environment through its adoption of the City of New York Sustainability Policy.

- **Tom Verry, Executive Director, National Biodiesel Foundation and Rosemarie Calabro Tully, Director of Public Affairs and Federal Communications, National Biodiesel Board**  
Welcome, Introductions and Industry Overview.

**Rocco Lacertosa, New York Oil Heat Association** - New York City is the largest home heating oil market in the United States. Each year the city uses over one billion gallons of heating oil. New York City currently has a standard that requires a 2% blend of Bioheat® in all home heating oil. Rocco will talk about the city's next step in adopting a heating oil standard that will require 5% and greater blends of Bioheat® in the future.

**Ryan Lamberg, environmental and technical consultant for NBB**

**Description: West Coast Biodiesel Update.** Ryan will review the dynamics, regulations and trends in the market place along the West Coast. Biodiesel and renewable diesel demand has increased year after year and may reach 1 billion gallons by 2020 or soon thereafter. Ryan will provide greater insight into both West Coast regulations and potential states in the Northeast that are trying to mimic these efforts.

JUSTINA: This sounds like just a presentation. No ethics issues here.

**10:30 a.m. – 12:00 p.m.**

**Overview and Tour New York City Sanitation Department Vehicle  
Maintenance Facility, 52-35, 58<sup>th</sup> St. Woodside, NY**

The New York City Department of Sanitation is the largest sanitation department in the world, with 9,000 employees and over 6,000 vehicles that handles over 12,000 tons of residential and institutional refuse and recyclables a day. The sanitation department is one of the largest single users of biodiesel in the country. Biodiesel is used throughout their fleet to meet performance and carbon reduction goals.

JUSTINA: How will Chris be transported? In a bus or car at the expense of whom? This is also a gift (of transportation). If the donor is the same entity as the breakfast and he eats the breakfast, then he's out of luck because the gift exception is \$20 per occasion. He could skip breakfast (or pay for it himself) and then take the tour if we learn that the cost per person is less than \$20. If it's more than \$20 per person, then EPA has to pay for his transportation.

**12:30 p.m. - 1:30 p.m.**

**Lunch with NYC Councilman Costa Constantinides, Astoria, Queens**

Council Constantinides is the champion for biodiesel and Bioheat on the New York City Council. The councilman has been instrumental in sponsoring legislation that has helped to develop New York City as one of the biggest biodiesel and Bioheat markets in the country. Council Constantinides was the main sponsor of the recently passed NYC Bill 642 that will mandate B20 Bioheat use by 2034.

JUSTINA: Who is paying for the lunch? He can pay for himself.

**1:30 p.m. Depart for Bronx Design and Construction Academy**

JUSTINA: how is he getting there? EPA may need to cover his local transportation costs.

1:45 p.m. – 3:30 p.m.

**Tour Bronx Design and Construction Academy**

**333 East 151<sup>st</sup>, Bronx, NY 10431**

**Pete Gonzalez, Work Base Learning Coordinator, 718 402-7690**

The Academy is working the New York Heating Oil Association to educate high schools students that are considering a future as heating oil technicians on the benefits of using Bioheat in commercial and residential applications.

Generally speaking, Chris can go, but there are several gift questions that need addressing.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Begin forwarded message:

**From:** National Biodiesel Foundation <[susan@biodieselfoundation.org](mailto:susan@biodieselfoundation.org)>

**Date:** February 12, 2018 at 2:50:31 PM EST

**To:** <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>

**Subject:** Sign up Now for NYC Biodiesel Tour - Registration Extended

**Reply-To:** <[mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org)>

Peter ,

Hope you are having a good day.

I wanted to flag this quick, one-day trip in March to New York to view some key biodiesel facilities. We'll travel late from DC to NYC on Thursday, March 22, then spend Friday, March 23, in New York City learning how the state uses biodiesel.

More details below—let me know if you have any questions. We'd love to have you join us.

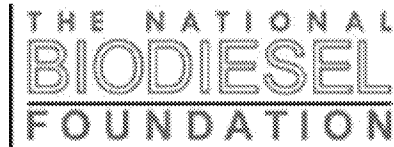


We have a few slots still open and have been able to extend the registration. **Please let us know by tomorrow (2/21) COB. We can accept registrations until we are at capacity.** Please email Morgan Townsend at [mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org) to register.

Best,

Susan Susanke, On behalf of the NBF and Morgan Townsend

Official Invitation:

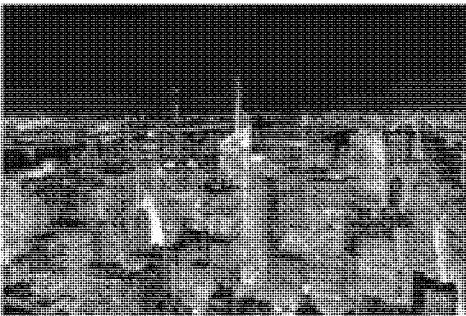


Dear Peter ,  
PO Box 104898  
Jefferson City, MO 65110-4898

REGISTER: March 23rd NYC Biodiesel Tour | (Limited Seating)

Peter

Just a brief reminder that **registrations are due no later than February 21 for the 2018 NYC Congressional Staff Biodiesel Tour.** Please email Morgan Townsend at [mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org) to register.



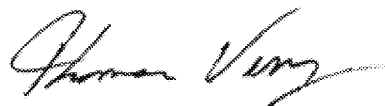
Made from an increasingly diverse mix of resources such as recycled cooking oil, soybean oil and animal fats, biodiesel is a renewable, clean-burning diesel replacement used in existing diesel engines. It is the first and only commercial-scale fuel produced across the U.S. to meet the EPA's definition of an Advanced Biofuel. This means the EPA has determined that biodiesel reduces greenhouse gas emissions by more than 50 percent when compared to petroleum diesel.

The tour is designed to provide Congressional staff with an understanding of the environmental and economic impacts of biodiesel and Bioheat®. Speakers and experts from the National Biodiesel Foundation will highlight technological advancements that are improving the efficiency of biodiesel in various applications in the Northeast and around the country. The tour schedule includes time to exchange of ideas about biodiesel and energy policy.

The 2018 NYC Congressional Staff Biodiesel Tour will be held on March 23, with travel beginning on the evening of March 22. This privately-sponsored tour will comply with all Ethics Committee travel regulations.

**Space is limited, and registrations must be received by COB February 21, 2018. Reserve your seat now!** If you are interested in participating in the tour, **please contact Morgan Townsend at [mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org).** We will email you the registration package, and work with you to complete the ethics packet before the deadline.

We look forward to seeing you on the tour.



Tom Verry  
Executive Director



Sincerely,

Jeff Lynn  
President

Agenda is as follows:

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## 2018 NY Biodiesel Congressional Tour Sustainable Biodiesel: Improving the Environment and Economy

### Thursday, March 22<sup>nd</sup>

|            |                                                                                                              |
|------------|--------------------------------------------------------------------------------------------------------------|
| 6:05 p.m.  | Depart Union Station, DC – Amtrak Train (Northeast Regional) – <i>unless schedule changes</i>                |
| 9:30 p.m.  | Arrive at Penn Station, NYC                                                                                  |
| 10:00 p.m. | Arrive at Courtyard New York Manhattan/Herald Square<br>71 West 35th Street at 6th Avenue New York, NY 10001 |

*This is a travel day. There are no officially-connected meals or activities scheduled with the sponsors on Wednesday.*

### Friday, March 23<sup>rd</sup>

8:00 a.m. Depart hotel by bus

8:30 a.m. to 10:30 a.m.

Orientation meeting at New York City Sanitation Department, 52-35,  
58<sup>th</sup> St. Woodside, NY (a continental breakfast will be provided)

- **New York City Department of Sanitation Deputy Commissioner Rocco DiRico – Welcome and NYC Sanitation Biodiesel Overview**

The New York City Department of Sanitation is the largest sanitation department in the world with over 7,200 uniformed sanitation workers and supervisors, 2,041 civilian workers, 2,230 collection trucks, 275 specialized collection trucks, 450 street sweepers, 365 salt and sand spreaders, 298 front end loaders, 2,360 support vehicles, and handles over 12,000 tons of residential and institutional refuse and recyclables a day. Here you will hear of their biodiesel and BioHeat use and experiences, see their emissions testing lab and hear of the commitment New York City has to the environment through its adoption of the City of New York Sustainability Policy.

- **Tom Verry, Executive Director, National Biodiesel Foundation and Rosemarie Calabro Tully, Director of Public Affairs and Federal Communications, National Biodiesel Board**

Welcome, Introductions and Industry Overview.

**Rocco Lacertosa, New York Oil Heat Association** - New York City is the largest home heating oil market in the United States. Each year the city uses over one billion gallons of heating oil. New York City currently has a standard that requires a 2% blend of Bioheat® in all home heating oil. Rocco will talk about the city's next step in adopting a heating oil standard that will require 5% and greater blends of Bioheat® in the future.

**Ryan Lamberg, environmental and technical consultant for NBB**

**Description: West Coast Biodiesel Update.** Ryan will review the dynamics, regulations and trends in the market place along the West Coast. Biodiesel and renewable diesel demand has increased year after year and may reach 1 billion gallons by 2020 or soon thereafter. Ryan will provide greater insight into both West Coast regulations and potential states in the Northeast that are trying to mimic these efforts.

**10:30 a.m. – 12:00 p.m.**

**Overview and Tour New York City Sanitation Department Vehicle Maintenance Facility, 52-35, 58<sup>th</sup> St. Woodside, NY**

The New York City Department of Sanitation is the largest sanitation department in the world, with 9,000 employees and over 6,000 vehicles that handles over 12,000 tons of residential and institutional refuse and recyclables a day. The sanitation department is one of the largest single users of biodiesel in the country. Biodiesel is used throughout their fleet to meet performance and carbon reduction goals.

**12:30 p.m. - 1:30 p.m.**

**Lunch with NYC Councilman Costa Constantinides, Astoria, Queens**

Council Constantinides is the champion for biodiesel and Bioheat on the New York City Council. The councilman has been instrumental in sponsoring legislation that has helped to developed New York City as one of the biggest biodiesel and Bioheat markets in the country. Council Constantinides was the

main sponsor of the recently passed NYC Bill 642 that will mandate B20 Bioheat use by 2034.

**1:30 p.m. Depart for Bronx Design and Construction Academy**

**1:45 p.m. – 3:30 p.m.**

**Tour Bronx Design and Construction Academy**

**333 East 151<sup>st</sup>, Bronx, NY 10431**

**Pete Gonzalez, Work Base Learning Coordinator, 718 402-7690**

The Academy is working the New York Heating Oil Association to educate high schools students that are considering a future as heating oil technicians on the benefits of using Bioheat in commercial and residential applications.

**4:30 p.m. Arrive at Penn Station, NYC** - The Sustainability Tour will conclude with a Q&A Session with tour participants, sponsors and staff. This will be the time for participants to answer all their questions, discuss the day's events and get one-on-one time with biodiesel experts.

**6:25 p.m. Amtrak train departs for Union Station, DC**

**9:50 p.m. Arrive at Union Station, DC**

Thank you to our sponsors:



Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 9/18/2017 7:31:10 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: here's a change of pace for you

Yes okay. I'll forward it on.

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Monday, September 18, 2017 1:23 PM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** RE: here's a change of pace for you

Two things:

- 1)
- 2)

## Ex. 5 - Deliberative Process

---

**From:** Griffo, Shannon  
**Sent:** Monday, September 18, 2017 12:22 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: here's a change of pace for you

## Ex. 5 - Deliberative Process

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, September 15, 2017 12:12 PM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** here's a change of pace for you

Hi Shannon,

# Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

justina

**From:** Jackson, Ryan  
**Sent:** Friday, September 15, 2017 9:01 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: September 28 AOA Invitation

That's fine. Would you mind calling jay since it's on sept 28 and it's coming really soon?

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Sep 13, 2017, at 2:48 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi,

It appears to me to be a partisan political group that was founded in 2014 by Paul Singer.

## Ex. 5 - Deliberative Process

### Ex. 5 - Deliberative Process

But this is a partisan political group, so we need to be alert to all of the Hatch Act considerations, including the fact that they will have to pay for travel costs.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, September 13, 2017 2:19 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: September 28 AOA Invitation

We have been asked to speak at this, and I wanted to see what information you may need from the group. I'm not familiar with this group. However, Secretary Mnuchin spoke to them recently.

---

**From:** Jay Kramer [mailto:jay@opportunityus.org]  
**Sent:** Wednesday, September 13, 2017 12:55 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Re: September 28 AOA Invitation

Ryan,

I'm sure you're slammed so I wanted to kick this to the top of your box. Let me know if you need anything else.

Thanks,  
Jay

On 9/12/17, 9:24 PM, "Jay Kramer" <jay@opportunityus.org> wrote:

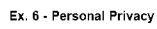
Ryan,

Per my conversation with Samantha, I'd like to formally extend an invitation for Administrator Pruitt to speak at our upcoming American Opportunity Alliance meeting. The meeting will be on Thursday, September 28 in New York. We plan to gather from 8:30 AM – 4:00 PM and welcome him at any point during this window. We hope that the Administrator could address his role in the administration, the accomplishments to date, as well as his views on the current landscape.

Look forward to hearing back from you.

Best,  
Jay

----

Jay Kramer  
Cell:  Ex. 6 - Personal Privacy  
Office: 703.260.7145

NOTICE: This electronic message (and any other communications or files transmitted with it) are intended solely for the individual or entity to whom they are addressed and may contain proprietary information or information that is otherwise confidential. Accordingly, any unauthorized use, review, disclosure, or distribution of this material is prohibited. If you have received this e-mail in error and are not the intended recipient, please notify the sender immediately. Thank you.

Message

---

**From:** Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]  
**Sent:** 10/18/2017 8:10:10 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: announcement

No worries. That's more important anyway.

And Jeff is already here and on the road. : )

---

**From:** Fugh, Justina  
**Sent:** Wednesday, October 18, 2017 1:31 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Re: announcement

I understand ... **Ex. 6 - Personal Privacy** ... I will work this out for us as soon as I can.

Sent from my iPhone

On Oct 18, 2017, at 9:21 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Yes. December 2014 was his last date.

## Ex. 5 - Deliberative Process

---

**From:** Fugh, Justina  
**Sent:** Tuesday, October 17, 2017 10:06 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: announcement

He joined EPA? Gosh, no one tells me anything!

## Ex. 5 - Deliberative Process

Also, like you, I read his resume as saying he left Ag Advisors in 2015. Was that a typo?

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 9:53 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: announcement

He left the Ag retailers in 2015. He joined EPA Monday. I'll get month he left.



---

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Oct 17, 2017, at 8:48 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Oh, I read your message asking whether you (Ryan) could speak to the Ag Advisors. Now I see that you're asking whether he (Jeff) can do so. The answer is that I need to know when he left that position and when he will be joining EPA. Under the Trump ethics pledge, we look at his EPA start date and then look back two calendar years. If he worked for Ag Advisors during that two year period, then he will not be able to interact with them for two years going forward. So specific dates will matter in order for me to give you super clear advice.

I know, I am never helpful, am I?  
Justina

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 5:38 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: announcement

Ex. 5 - Deliberative Process

But I just noticed that he worked for the ag retailers. Not the immediate previous employer but did at one point. Maybe that doesn't matter now that I think about it.

Ex. 5 - Deliberative Process

---

**From:** Fugh, Justina  
**Sent:** Tuesday, October 17, 2017 5:25 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: announcement

Yes, you can speak in your official capacity to the Ag Retailers. Sands may not be able to do so when he joins EPA, but you sure can. If they offer to pay for your travel expenses, let me know. I have to approve that in advance.

Cheers,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 4:54 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: announcement

Hey I just noticed on Jeff's resume that he worked for the Ag Retailers. Can I speak to their annual conference? I'm assuming that's a no.

Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy

Message

---

**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 10/13/2017 3:18:59 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**Subject:** RE: speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Hi Hayley,

This speaking request doesn't present ethics issues, besides from the ethics travel form that Justina has provided guidance on. I've cc'd Gail Davis to facilitate the ethics travel form component.

Note that the ACC is a federally registered lobbyist, so while there, he cannot accept any gift if offered. I note that is the speaking request, no meal is provided; however, if details change, loop OGC/Ethics in so that we can advise.

Thanks!  
Jennie for OGC/Ethics

---

**From:** Fugh, Justina  
**Sent:** Friday, October 13, 2017 10:03 AM  
**To:** Ford, Hayley <ford.hayley@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Hi Hayley,  
Jennie will address whether he can speak, and this note confirms that OGC can accept the offer of lodging. But please let Gail Davis know about the lodging so that she can start the ethics travel form and then notify me so that I can approve it.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley  
**Sent:** Thursday, October 12, 2017 1:39 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Can you please approve both a) this speaking engagement request and b) a previous offer they made to secure his lodging for the night before?

Let me know if you need anything else. Thanks!

**Hayley Ford**

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Halsey, Holly [[mailto:Holly\\_Halsey@americanchemistry.com](mailto:Holly_Halsey@americanchemistry.com)]  
**Sent:** Thursday, October 12, 2017 11:05 AM  
**To:** scheduling <[scheduling@epa.gov](mailto:scheduling@epa.gov)>; Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Fleming, Edie <[Edie\\_Fleming@americanchemistry.com](mailto:Edie_Fleming@americanchemistry.com)>; Zumwalt, Bryan <[Bryan\\_Zumwalt@americanchemistry.com](mailto:Bryan_Zumwalt@americanchemistry.com)>  
**Subject:** speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Good morning. Administrator Pruitt has been confirmed to speak at the American Chemistry Council's Annual Board of Directors meeting on November 9<sup>th</sup> in Kiawah Island, SC. Attached, please find the completed speaker form. If you have any questions, please contact Bryan Zumwalt at [Bryan\\_Zumwalt@americanchemistry.com](mailto:Bryan_Zumwalt@americanchemistry.com), 202-249-6200 (o), or Ex. 6 - Personal Privacy (c). Thank you.

**Holly Halsey** | American Chemistry Council  
Executive Assistant, Federal Affairs  
[holly\\_halsey@americanchemistry.com](mailto:holly_halsey@americanchemistry.com)  
700 2<sup>nd</sup> Street, NE | Washington, DC | 20002  
O: (202)249-6202 C: Ex. 6 - Personal Privacy  
[www.americanchemistry.com](http://www.americanchemistry.com)

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Message

---

**From:** Ross, Margaret [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38CAF91847DD4F95810C1F96D918871C-ROSS, MARGARET]  
**Sent:** 11/29/2017 2:27:14 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**Subject:** RE: Urgent question before 9am - R4 New Appointee

Yikes! People are dropping like flies! Thanks for circling back and I hope everyone feels better soon!

(No one should apologize – someone making a request at 8:30am for a 9:00am meeting has to understand that they may not get an answer in time. We do our best, and that's it.) ☺

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221

---

**From:** Fugh, Justina  
**Sent:** Wednesday, November 29, 2017 9:18 AM  
**To:** Ross, Margaret <Ross.Margaret@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Re: Urgent question before 9am - R4 New Appointee

Done. More later. In car now Ex. 6 - Personal Privacy

Sent from my iPhone

On Nov 29, 2017, at 8:56 AM, Ross, Margaret <Ross.Margaret@epa.gov> wrote:

I haven't been able to raise anyone on the phone – I tried Deborah Benjamin in R4 and Mitch Cohen in R2, just in case one of them might either have the answer...but nobody's around.

If someone gets this in the next 5 minutes – please do give Blake a call. He'll plan to skip the meeting unless he hears otherwise.

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221

---

**From:** Ross, Margaret  
**Sent:** Wednesday, November 29, 2017 8:39 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Urgent question before 9am - R4 New Appointee  
**Importance:** High

Blake Ashby, chief of staff to Trey Glenn in R4 wants to attend a meeting at 9am. The meeting is with Dekalb County – an organization he used to lobby for at the state level. Can he attend? I am not knowledgeable enough to answer his question. Can someone give him a call at [Ex. 6 - Personal Privacy] before 9am? If yes, please send a note to the group to say it's been done.

Thanks!

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221

Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 10/18/2017 7:07:33 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: announcement

Agreed. Let me know if you need me to do anything.

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
Griffo.Shannon@epa.gov

---

**From:** Fugh, Justina  
**Sent:** Wednesday, October 18, 2017 1:28 PM  
**To:** Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Fwd: announcement

FYI

## Ex. 5 - Deliberative Process

Sent from my iPhone

Begin forwarded message:

**From:** "Jackson, Ryan" <jackson.ryan@epa.gov>  
**Date:** October 18, 2017 at 9:21:05 AM EDT  
**To:** "Fugh, Justina" <Fugh.Justina@epa.gov>  
**Subject:** RE: announcement

Yes. December 2014 was his last date.

## Ex. 5 - Deliberative Process

**From:** Fugh, Justina  
**Sent:** Tuesday, October 17, 2017 10:06 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: announcement

He joined EPA? Gosh, no one tells me anything!

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

Also, like you, I read his resume as saying he left Ag Advisors in 2015. Was that a typo?

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 9:53 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: announcement

He left the Ag retailers in 2015. He joined EPA Monday. I'll get month he left.

---

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Oct 17, 2017, at 8:48 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Oh, I read your message asking whether you (Ryan) could speak to the Ag Advisors. Now I see that you're asking whether he (Jeff) can do so. The answer is that I need to know when he left that position and when he will be joining EPA. Under the Trump ethics pledge, we look at his EPA start date and then look back two calendar years. If he worked for Ag Advisors during that two year period, then he will not be able to interact with them for two years going forward. So specific dates will matter in order for me to give you super clear advice.

I know, I am never helpful, am I?  
Justina

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 5:38 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: announcement

## Ex. 5 - Deliberative Process

But I just noticed that he worked for the ag retailers. Not the immediate previous employer but did at one point. Maybe that doesn't matter now that I think about it.

## Ex. 5 - Deliberative Process

---

**From:** Fugh, Justina  
**Sent:** Tuesday, October 17, 2017 5:25 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: announcement



Yes, you can speak in your official capacity to the Ag Retailers. Sands may not be able to do so when he joins EPA, but you sure can. If they offer to pay for your travel expenses, let me know. I have to approve that in advance.

Cheers,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 4:54 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: announcement

Hey I just noticed on Jeff's resume that he worked for the Ag Retailers. Can I speak to their annual conference? I'm assuming that's a no.

Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy

Message

**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 11/29/2017 2:14:23 PM  
**To:** Ross, Margaret [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38caf91847dd4f95810c1f96d918871c-Ross, Margaret]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Urgent question before 9am - R4 New Appointee

Sorry. Just seeing this.

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Either Justina or I can circle back with him later today.

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
Griffo.Shannon@epa.gov

---

**From:** Ross, Margaret  
**Sent:** Wednesday, November 29, 2017 8:57 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** RE: Urgent question before 9am - R4 New Appointee

I haven't been able to raise anyone on the phone – I tried Deborah Benjamin in R4 and Mitch Cohen in R2, just in case one of them might either have the answer...but nobody's around.

If someone gets this in the next 5 minutes – please do give Blake a call. He'll plan to skip the meeting unless he hears otherwise.

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221

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**From:** Ross, Margaret  
**Sent:** Wednesday, November 29, 2017 8:39 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** Urgent question before 9am - R4 New Appointee  
**Importance:** High

Blake Ashby, chief of staff to Trey Glenn in R4 wants to attend a meeting at 9am. The meeting is with Dekalb County – an organization he used to lobby for at the state level. Can he attend? I am not knowledgeable enough to answer his question. Can someone give him a call at Ex. 6 - Personal Privacy before 9am? If yes, please send a note to the group to say it's been done.

Thanks!

Margaret Ross | Ethics Officer | Office of General Counsel | US EPA | William Jefferson Clinton Federal Building Room 4310A  
North | Washington, DC 20460 (for ground deliveries: 20004) | phone 202-564-3221

Message

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**From:** Dalzell, Sally [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E29F0DA5E0FC481FA287A2E5503F8D97-SDALZELL]  
**Sent:** 8/8/2017 5:54:17 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Hunt, Stuart [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb5315dc1541460a99d94766cadfd624-shunt03]; Leff, Karin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=23e82b63cf414e5e94b609da277de6c4-Kleff]; McEaddy, Monica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=01770063a90b486c9c42d49946ca459d-MMCEADDY]  
**Subject:** Re: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

That is generous of you to say, Justina.

I know everyone consults you and you are very busy!!

Sally

Sent from my iPhone

On Aug 8, 2017, at 8:18 AM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

<image002.jpg>

Oh, no worries, Sally. You're always so nice and it was actually a pretty easy question.

---

**From:** Dalzell, Sally  
**Sent:** Monday, August 07, 2017 4:13 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Hunt, Stuart <[Hunt.Stuart@epa.gov](mailto:Hunt.Stuart@epa.gov)>; Leff, Karin <[Leff.Karin@epa.gov](mailto:Leff.Karin@epa.gov)>; McEaddy, Monica <[McEaddy.Monica@epa.gov](mailto:McEaddy.Monica@epa.gov)>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Justina:

Thank you so much for your help.

I will try to ask for ethics help more in advance next time.

Sally

Sally M. Dalzell, Senior Counsel  
Federal Facilities Enforcement Office, 2261A  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, N.W.  
Washington, D.C. 20004  
(202)564-2583  
(202) 501-0069 (fax)  
<http://www.fedcenter.gov>

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**From:** Fugh, Justina  
**Sent:** Monday, August 07, 2017 4:10 PM  
**To:** Dalzell, Sally <Dalzell.Sally@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Hi Sally,  
Okay, here's your advice: OKAY TO ATTEND RECEPTION! It will either be under \$20 per person or can be called a widely attended gathering because there is a diversity of interests present and I determine that there is an agency interest in your and the other EPA employees' attendance. And okay to eat the boxed lunches, etc. but be sure not claim per diem for those meals.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Dalzell, Sally  
**Sent:** Monday, August 07, 2017 4:02 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Sorry, Justina for being unclear or incomplete.

I will try to answer your questions below.

Sally M. Dalzell, Senior Counsel  
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U.S. Environmental Protection Agency  
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Washington, D.C. 20004

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---

**From:** Fugh, Justina  
**Sent:** Monday, August 07, 2017 3:50 PM  
**To:** Dalzell, Sally <[Dalzell.Sally@epa.gov](mailto:Dalzell.Sally@epa.gov)>  
**Cc:** Hunt, Stuart <[Hunt.Stuart@epa.gov](mailto:Hunt.Stuart@epa.gov)>; Leff, Karin <[Leff.Karin@epa.gov](mailto:Leff.Karin@epa.gov)>; McEaddy, Monica <[McEaddy.Monica@epa.gov](mailto:McEaddy.Monica@epa.gov)>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Hi Sally,

I don't have sufficient information to make an ethics determination. You wonder whether you and other EPA employees may attend a reception, but you don't tell me how many people will be in attendance, what interests they represent, or who is sponsoring the event. Plus, I saw that Patrick Davis may attend, and he signed the Trump Ethics Pledge, so the answer for him may be different from the answer for the rest of you, depending on who is sponsoring the event. If the sponsor is a federally registered lobbyist, then he can't attend the reception at all. So, who is sponsoring the event? Is there a fee associated with the reception or for drinks? I do not know who is sponsoring the event. I assume it's ECOS and I will ask right now. It could be the local government. There is NO fee associated with the food, but there is a cash bar and we will have to pay for any drinks we consume so I know the drink part is fine.

Question 1: So, if not many people attend to provide a diversity of views, should EPA attendees pay for the reception since it is likely it would not be widely attended?

JUSTINA: I don't know how you've concluded it's not widely attended. I don't have enough information to make that determination. That said, if EPA people pay for their food/beverages, then it's not a gift at all. I should not have concluded that it's not a widely attended gathering. I thought that, last time, we needed a number of local people to make it diverse. I am attaching the list of attendees (other than the local people) to try to help.

Question 1.a. If we are surprised and many local people attend so that it is considered a widely attended gathering, may we have OGC's permission to accept the reception assuming it's \$20/person or less?

JUSTINA: It's not just a matter of numbers but also a question of the diversity of interests. If there are least 20 people present, then I may still be able to conclude that there is a diversity of interests, but only if I know what type of people are attending (feds and who else?). There should be over 40 people in attendance from EPA, DOE, states, and ECOS. Please see attendee list attached above.

Question 2: ECOS (with grant from DOE) is providing optional breakfast on Wednesday (boxed breakfast on bus when we ride to Los Alamos for a tour) and Thursday before the start of the meeting and a working lunch on Thursday. Does EPA have to pay for the optional breakfasts (if EPA attendee participates) and the working lunch on Thursday?

JUSTINA: I don't have a gift issue because the source of the funds is a federal grant. So from the EPA diners' perspective, you can accept the food because it is provided through a federal grant. The problem is for DOE and concerns whether they can permit the use of their grant money to pay for other feds' meals). But you as an EPA traveler can't also claim per diem for those meals that you accept. Also know that I can't use the ethics travel authority to accept expenses or meals that are paid for with federal grant money. So, we can accept the food, but can't charge per diem for the food we accept. Is that correct?

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Dalzell, Sally

**Sent:** Monday, August 07, 2017 11:31 AM

**To:** Fugh, Justina <Fugh.Justina@epa.gov>

**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>

**Subject:** Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Justina:

I am so sorry for this last minute question.

Tomorrow, several EPA employees fly to New Mexico for another meeting of the DOE/EPA/ECOS Dialogue.

Attached is the agenda for the DOE/EPA/ECOS and States meeting to be held this week on Wednesday and Thursday.

In February 2017, I participated in a similar meeting in Oak Ridge, TN. As you may recall, upon my return (due to my failure to consider ethics implications ahead-of-time), we asked your and Stuart's advice on the acceptance of meals and a reception.

Like last time in Oakridge, TN, there is a planned reception, but, unlike last time, the reception does NOT appear on the agenda. However, I know it is supposed to take place on Wednesday evening at our hotel.

I just checked my e-mails from our last trip in February for the DOE Dialogue meeting (Stuart is on vacation).

In your e-mail from February 2017, you advised that **we are to get written pre-approval to attend what might be a widely attended gathering** this Wednesday, August 9 in Santa Fe, New Mexico. At the reception in Oak Ridge, there were a large number of local government representatives, states, ECOS, and EPA.

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I assume the answer to both of my questions is yes and I would pay by check. Please confirm and I am sorry for putting you in the position of a such a quick response.

Sally

Sally M. Dalzell, Senior Counsel  
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Message

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**Sent:** 8/7/2017 8:02:15 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Hunt, Stuart [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb5315dc1541460a99d94766cadfd624-shunt03]; Leff, Karin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=23e82b63cf414e5e94b609da277de6c4-Kleff]; McEaddy, Monica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=01770063a90b486c9c42d49946ca459d-MMCEADDY]  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions  
**Attachments:** Final Los Alamos Meeting Attendee Spreadsheet (003).pdf

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**From:** Dalzell, Sally

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**To:** Fugh, Justina <Fugh.Justina@epa.gov>

**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>

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Sally

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| EM Site Cleanup Dialogue, Santa Fe, New Mexico |            |                                                      |                                                        |                     |       |                                |
|------------------------------------------------|------------|------------------------------------------------------|--------------------------------------------------------|---------------------|-------|--------------------------------|
| Attendees                                      |            |                                                      |                                                        |                     |       |                                |
| First Name                                     | Last Name  | Title                                                | Agency                                                 | City                | State | Email                          |
| David                                          | Abelson    | Managing Director                                    | Abelson Partners, LLC                                  | Boulder             | CO    | David@abelsonpartners.com      |
| Chris                                          | Andres     | Bureau Chief                                         | Nevada Division of Environmental Protection            | Las Vegas           | NV    | candres@ndep.nv.gov            |
| Brian                                          | Begley     | Registered Geologist Supervisor                      | Kentucky Department for Environmental Protection       | Frankfort           | KY    | Brian.Begley@ky.gov            |
| Charlotte                                      | Bertrand   | Director                                             | U.S. EPA Federal Facility Restoration and Reuse Office | Washington          | DC    | bertrand.charlotte@epa.gov     |
| Sheryl                                         | Bilbrey    | Director                                             | U.S. EPA Office of Environmental Cleanup, Region 10    | Seattle             | WA    | bilbrey.sheryl@epa.gov         |
| John                                           | Blevins    | Senior Advisor                                       | U.S. DOE EM Oak Ridge (detailed from EPA)              | Oak Ridge           | TN    | john.blevins@orem.doe.gov      |
| Jess                                           | Byrne      | Deputy Director                                      | Idaho Department of Environmental Quality              | Boise               | ID    | jess.byrne@deq.idaho.gov       |
| Stacy                                          | Charboneau | APDAS of Site Operations                             | U.S. DOE EM-HQ                                         | Washington          | DC    | stacy.charboneau@hq.doe.gov    |
| Sam                                            | Coleman    | Acting Regional Administrator                        | U.S. EPA, Region 6                                     | Dallas              | TX    | coleman.sam@epa.gov            |
| Betsy                                          | Connell    | Chief of Staff                                       | U.S. DOE EM-HQ                                         | Washington          | DC    | elizabeth.connell@hq.doe.gov   |
| Jack                                           | Craig      | Site Manager                                         | U.S. DOE Savannah River Site                           | Savannah River      | SC/GA | jack.craig@srs.gov             |
| Sally                                          | Dalzell    | Senior Counsel                                       | U.S. EPA Federal Facilities Enforcement Office         | Washington          | DC    | dalzell.sally@epa.gov          |
| Patrick                                        | Davis      | Deputy Assistant Administrator, OLEM                 | U.S. EPA Office of Land and Emergency Management       | Washington          | DC    | davis.patrick@epa.gov          |
| Leo                                            | Drozdo     | Contractor                                           | U.S. DOE EM-HQ                                         | Las Vegas           | NV    | leodrozdo@att.net              |
| Alexandra                                      | Dunn       | Executive Director and General Counsel               | Environmental Council of the States                    | Washington          | DC    | adunn@ecos.org                 |
| Robert                                         | Edwards    | Site Manager                                         | U.S. DOE PPPO                                          | Portsmouth/P aducah | OH/KY | robert.edwards@lex.doe.gov     |
| Dennis                                         | Faulk      | Manager                                              | U.S. EPA Hanford Project Office, Region 10             | Richland            | WA    | faulk.dennis@epa.gov           |
| Mark                                           | Gilbertson | Acting APDAS of Regulatory and Policy Affairs Office | U.S. DOE EM-HQ                                         | Washington          | DC    | mark.gilbertson@em.doe.gov     |
| Alexandra                                      | Gilliland  | Staff, Office of Regulatory Compliance               | U.S. DOE EM-HQ                                         | Washington          | DC    | alexandra.gilliland@em.doe.gov |
| Carolyn                                        | Hanson     | Deputy Director                                      | Environmental Council of the States                    | Washington          | DC    | chanson@ecos.org               |



|           |               |                                                             |                                                               |             |    |                                |
|-----------|---------------|-------------------------------------------------------------|---------------------------------------------------------------|-------------|----|--------------------------------|
| Anne      | Heard         | Acting Regional Administrator                               | U.S. EPA, Region 4                                            | Atlanta     | GA | heard.anne@epa.gov             |
| Michael   | Higgins       | Monitoring and Oversight Manager                            | Tennessee Department of Environment & Conservation, Oak Ridge | Oak Ridge   | TN | Michael.D.Higgins@tn.gov       |
| Franklin  | Hill          | Director                                                    | U.S. EPA Waste Management Division, Region 4                  | Atlanta     | GA | hill.franklin@epa.gov          |
| Doug      | Hintze        | Site Manager                                                | U.S. DOE EM-Los Alamos                                        | Los Alamos  | NM | douglas.hintze@em.doe.gov      |
| Roger     | Jarrell       | Senior Advisor                                              | U.S. DOE EM-HQ                                                | Washington  | DC | roger.jarrell@hq.doe.gov       |
| Shea      | Jones-Johnson | Special Assistant                                           | U.S. EPA Office of the Regional Administrator, Region 4       | Atlanta     | GA | jones-johnson.shea@epa.gov     |
| Karin     | Leff          | Acting Director                                             | U.S. EPA Federal Facilities Enforcement Office                | Washington  | DC | leff.karin@epa.gov             |
| Greg      | Lovato        | Administrator                                               | Nevada Division of Environmental Protection                   | Carson City | NV | glovato@ndep.nv.gov            |
| Charles   | Maguire       | Director of the Radioactive Materials Division              | Texas Commission on Environmental Quality                     | Austin      | TX | Charles.maguire@tceq.texas.gov |
| Jon       | Maybriar      | Director, Division of Waste Management                      | Kentucky Department for Environmental Protection              | Frankfort   | KY | Jon.Maybriar@ky.gov            |
| Monica    | McEaddy       | Environmental Engineer                                      | U.S. EPA Federal Facilities Restoration and Reuse Office      | Washington  | DC | mceaddy.monica@epa.gov         |
| Elizabeth | McManus       | Contractor                                                  | Ross Strategic                                                | Seattle     | WA | emcmanus@rossstrategic.com     |
| Shari     | Meghreblian   | Deputy Commissioner                                         | Tennessee Department of Environment & Conservation            | Nashville   | TN | Shari.meghreblian@tn.gov       |
| Jay       | Mullis        | Site Manager                                                | U.S. DOE EM Oak Ridge                                         | Oak Ridge   | TN | jay.mullis@orem.doe.gov        |
| Daphne    | Neel          | Bureau of Land and Waste Management Chief                   | South Carolina Department of Health and Environmental Control | Columbia    | SC | Neeldg@dhec.sc.gov             |
| Jim       | Owendoff      | Acting Assistant Secretary                                  | U.S. DOE EM-HQ                                                | Washington  | DC | james.owendoff@em.doe.gov      |
| Layne     | Piper         | Project Associate                                           | Environmental Council of the States                           | Washington  | DC | lpiper@ecos.org                |
| Robert    | Seifert       | Director, Office of Regulatory Compliance                   | U.S. DOE EM-HQ                                                | Washington  | DC | robert.seifert@em.doe.gov      |
| Jim       | Sferra        | Chief of Southeast District Office                          | Ohio Environmental Protection Agency                          | Logan       | OH | james.sferra@epa.ohio.gov      |
| Don       | Siron         | Assistant Bureau Chief, Bureau of Land and Waste Management | South Carolina Department of Health and Environmental Control | Columbia    | SC | sirondl@dhec.sc.gov            |
| Alex      | Smith         | Nuclear Waste Program Manager                               | Washington Department of Ecology                              | Richland    | WA | Ales461@ecy.wa.gov             |

|        |         |                                                                  |                                                                |          |    |                            |
|--------|---------|------------------------------------------------------------------|----------------------------------------------------------------|----------|----|----------------------------|
| Wren   | Stenger | Director                                                         | U.S. EPA Multimedia Planning and Permitting Division, Region 6 | Dallas   | TX | stenger.wren@epa.gov       |
| John   | Tippets | Director                                                         | Idaho Department of Environmental Quality                      | Boise    | ID | john.tippets@deq.idaho.gov |
| Butch  | Tongate | Cabinet Secretary                                                | New Mexico Environment Department                              | Santa Fe | NM | Butch.tongate@state.nm.us  |
| Shelly | Wilson  | Permitting and Federal Facilities Liaison, Environmental Affairs | South Carolina Department of Health & Environmental Control    | Columbia | SC | Shelly.Wilson@dhec.sc.gov  |



Message

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**From:** Davis, Gail [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3778A7CC1FA4F078F7C4B447C63E7C8-GDAVIS04]  
**Sent:** 7/31/2017 9:07:39 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]  
**Subject:** RE: Blackhawk Helicopter

Got it! thanks

---

**From:** Fugh, Justina  
**Sent:** Monday, July 31, 2017 4:53 PM  
**To:** Hupp, Millan <hupp.millan@epa.gov>  
**Cc:** Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** RE: Blackhawk Helicopter

Yes, we can accept that. If it's indeed the Army National Guard, then that's federal so Gail will not have to do an ethics travel acceptance form. We can accept federal rides.

---

**From:** Hupp, Millan  
**Sent:** Monday, July 31, 2017 3:49 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Blackhawk Helicopter

Justina,

The Governor of Indiana has invited the Administrator and a few members of his team to travel from one location to another via Blackhawk helicopter. It would be operated by the National Guard while they are in Indiana on Wednesday and the Governor would be on board.

Driving is not an option as the two locations are three hours apart and would prevent them from conducting all their meetings and site visits.

Please let me know if we may do this.

Thank you,

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

Message

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**From:** Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B64B64F90953B753A01BEE0D5-HUPP, MILLA]  
**Sent:** 7/31/2017 8:53:55 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Chmielewski, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a8c269da515e475d9705f091dd2713f6-Chmielewski]  
**Subject:** Re: Blackhawk Helicopter

Thank you very much.

Sent from my iPhone

On Jul 31, 2017, at 4:52 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Yes, we can accept that. If it's indeed the Army National Guard, then that's federal so Gail will not have to do an ethics travel acceptance form. We can accept federal rides.

---

**From:** Hupp, Millan  
**Sent:** Monday, July 31, 2017 3:49 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Blackhawk Helicopter

Justina,

The Governor of Indiana has invited the Administrator and a few members of his team to travel from one location to another via Blackhawk helicopter. It would be operated by the National Guard while they are in Indiana on Wednesday and the Governor would be on board.

Driving is not an option as the two locations are three hours apart and would prevent them from conducting all their meetings and site visits.

Please let me know if we may do this.

Thank you,

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

Message

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**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 9/15/2017 4:25:06 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: here's a change of pace for you

Sure. I'll reach out to Jay Kramer after I've reviewed these documents this afternoon.

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
Griffo.Shannon@epa.gov

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**From:** Fugh, Justina  
**Sent:** Friday, September 15, 2017 12:12 PM  
**To:** Griffo, Shannon <Griffo.Shannon@epa.gov>  
**Subject:** here's a change of pace for you

Hi Shannon,

# Ex. 5 - Deliberative Process

justina

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**From:** Jackson, Ryan  
**Sent:** Friday, September 15, 2017 9:01 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: September 28 AOA Invitation

That's fine. Would you mind calling jay since it's on sept 28 and it's coming really soon?

Ryan Jackson  
Chief of Staff  
U.S. EPA  
(202) 564-6999

On Sep 13, 2017, at 2:48 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi,

It appears to me to be a partisan political group that was founded in 2014 by Paul Singer.

## Ex. 5 - Deliberative Process

### Ex. 5 - Deliberative Process

But this is a partisan political group, so we need to be alert to all of the Hatch Act considerations, including the fact that they will have to pay for travel costs.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, September 13, 2017 2:19 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: September 28 AOA Invitation

We have been asked to speak at this, and I wanted to see what information you may need from the group. I'm not familiar with this group. However, Secretary Mnuchin spoke to them recently.

---

**From:** Jay Kramer [<mailto:jay@opportunityus.org>]  
**Sent:** Wednesday, September 13, 2017 12:55 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Re: September 28 AOA Invitation

Ryan,

I'm sure you're slammed so I wanted to kick this to the top of your box. Let me know if you need anything else.

Thanks,  
Jay

On 9/12/17, 9:24 PM, "Jay Kramer" <[jay@opportunityus.org](mailto:jay@opportunityus.org)> wrote:

Ryan,

Per my conversation with Samantha, I'd like to formally extend an invitation for Administrator Pruitt to speak at our upcoming American Opportunity Alliance meeting. The meeting will be on Thursday,

September 28 in New York. We plan to gather from 8:30 AM – 4:00 PM and welcome him at any point during this window. We hope that the Administrator could address his role in the administration, the accomplishments to date, as well as his views on the current landscape.

Look forward to hearing back from you.

Best,  
Jay

----

Jay Kramer

Cell: 913.961.5988

Office: Ex. 6 - Personal Privacy

NOTICE: This electronic message (and any other communications or files transmitted with it) are intended solely for the individual or entity to whom they are addressed and may contain proprietary information or information that is otherwise confidential. Accordingly, any unauthorized use, review, disclosure, or distribution of this material is prohibited. If you have received this e-mail in error and are not the intended recipient, please notify the sender immediately. Thank you.

Message

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**From:** Redden, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B238FCF051EE4704BA6F56FDFA8566C2-REDDEN, KENNETH]  
**Sent:** 6/28/2017 2:24:35 PM  
**To:** Goerke, Ariadne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e8b70bcd421e464bb63a31f451970f7e-AGOERKE]; Wulffen, Rebecca [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d7a2efdd78d94806ae1f2c601e88c52f-WULFFEN, RE]  
**CC:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Fwd: who does establishment clause work for you?  
**Attachments:** Pruitt External Meeting Request Form SALLT 06.22.17.docx; ATT00001.htm

Hi Ariadne and Rebecca,

Could one of you get back to Justina on this? Thanks.

Sent from my iPhone

Begin forwarded message:

**From:** "Fugh, Justina" <Fugh.Justina@epa.gov>  
**Date:** June 27, 2017 at 5:43:33 PM EDT  
**To:** "Redden, Kenneth" <Redden.Kenneth@epa.gov>  
**Subject:** who does establishment clause work for you?

Hi,

I used to ask Julia Rhodes about establishment clause issues, but whom should I ask now? The Scheduling Office asked about this invitation for the Administrator to speak in his official capacity at a gathering of Christian leaders (called the Salt and Light Leadership Training ). ☐

## Ex. 5 - Deliberative Process

Any ideas?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Morris, Madeline  
**Sent:** Tuesday, June 27, 2017 1:16 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Ethics Approval Request

Hi Justina,

Just looking for approval for the Administrator to speak at this event. Thanks!

Best,  
Maddy

**Madeline Morris** Executive Scheduler | Office of the Administrator | direct: 202-564-0844 | cell: 202-579-4283

## External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

*To request the Administrator to attend and/or speak at your event, please complete and submit the following form.*

**Today's Date:** June 22, 2017

**Meeting Date:** December 8, 2017

**Meeting Time:** Flexible, morning, 8AM?, 9AM?

**Requested Location (if offsite, please list address, parking instructions, etc.):** What is the address of Mr. Pruitt's office? We will be at the Hyatt Hotel and will probably ask him to join us there but if his office isn't too far, we may ask to come there.

**Requestor:** SALLT, Wes Lane & robin Jones

**Purpose of the Meeting:** To get an update from a SALLT alumnus, Mr. Pruitt, and his work in WDC

**Background on the Meeting:** Mr. Pruitt is a graduate of SALLT.

**Role of the Administrator:** Unknown

**Attendees:** 50ish

**Point of Contact:** Robin Jones, [robin.jones@sallt.com](mailto:robin.jones@sallt.com),

Ex. 6 - Personal Privacy



Message

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**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 10/5/2017 7:35:25 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**Subject:** RE: AOA meeting on September 28th (ethics follow-up)

Hello Justina,

The Administrator did attend this event while he was in NY for other EPA business. When you work out the repayment of local travel expenses, can you please send that invoice to Ryan Jackson and he will work with AOA for the repayment?

Thank you!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Fugh, Justina  
**Sent:** Wednesday, September 27, 2017 1:58 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** RE: AOA meeting on September 28th (ethics follow-up)

Hi Hayley,

Yep, I talked to Ryan about the event, but I don't yet know whether the Administrator is planning to attend or not. If he is, then I need to remember to work out the repayment of local travel expenses. Do you know if he will be attending?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley  
**Sent:** Wednesday, September 27, 2017 11:10 AM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: AOA meeting on September 28th (ethics follow-up)

Shannon,

Ryan has spoken with Justina about this and they have handled. He said to please speak to Justina if you have any questions.

Thanks!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Griffo, Shannon

**Sent:** Tuesday, September 26, 2017 11:18 AM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Subject:** AOA meeting on September 28th (ethics follow-up)

Hi Hayley,

Do you know whether the Administrator is attending the American Opportunity Alliance meeting on September 28<sup>th</sup> in New York? OGC/Ethics previously spoke with Jay Kramer from the AOA and determined that this is a political event. Since there are Hatch Act implications, we wanted to follow-up to see if the Administrator is planning to attend.

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

Message

**From:** Alexandra Dunn **Ex. 6 - Personal Privacy**  
**Sent:** 10/26/2017 12:36:20 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: thanks! I've certified your report

Thanks Justina! This is no easy task. I certainly hope we can work out my participation at ECOS meetings - I can certainly not be part of the planning.

Alexandra Dapolito Dunn, Esq.

**Ex. 6 - Personal Privacy**

On Wed, Oct 25, 2017 at 5:52 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Here it is, if you want to see a copy.

As for next steps,

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Alexandra Dunn [mailto:**Ex. 6 - Personal Privacy**]  
**Sent:** Tuesday, October 24, 2017 6:51 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: Finished updating the Integrity.Gov Report

Below are the answers typed in. My apologies for hitting send to fast a moment ago.

Regards, Alex

Alexandra Dapolito Dunn, Esq.

**Ex. 6 - Personal Privacy**

On Fri, Oct 20, 2017 at 2:42 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi there,

Sorry to be out of pocket for a bit,

**Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

It's kind of a relief to just have to worry about work!

I got your report (thanks!) and have to ask you a few more questions (sorry).

**Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

Rather than send the form back to you, I'm going to ask you the questions in this email. Just respond to the email and then I'll make the changes for you, okay? Just so you can see what I've done, check out the attached pdf.

**Ex. 6 - Personal Privacy**

Happy weekend!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North,  
William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) |  
phone 202-564-1786 | fax 202-564-1772

**From:** Alexandra Dunn [mailto:**Ex. 6 - Personal Privacy**]  
**Sent:** Friday, October 20, 2017 9:17 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Finished updating the Integrity.Gov Report

I answered all your questions and resubmitted! Thank you.

Alexandra Dapolito Dunn, Esq.

**Ex. 6 - Personal Privacy**

Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 5/12/2017 7:49:54 PM  
**To:** Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]  
**CC:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]  
**Subject:** On behalf of Bernie Nash  
**Attachments:** Burton Awards - Invite for the Event 2017 PRUITT.PDF; Burton Awards - Awards Program Specifics.pdf; Burton Awards 2017\_General Brochure.pdf

Hi Sydney,

OGC/Ethics advises to either **decline** this invitation **or** have the Administrator **pay to attend**. Based on our brief telephone call, the invitation did not originate from the host of the event; instead a law firm invited the Administrator (an important fact in the ethics analysis). Furthermore, it is not clear whether a federally registered lobbyist issued the invitation. See the following for more complete details and let me know if I can of further assistance.

Best,  
Jennie for OGC/Ethics  
202-564-3412

### **White House Ethics Pledge**

The White House Ethics Pledge does not allow political appointees to accept gifts from registered lobbyists. OGC/Ethics needs clarification to make the determination whether the person is a lobbyist since it's not clear whether the law firm or its lobbying arm is issuing the invitation. The attorney connected to the invitation works for both sides of the business. If we were to conclude that a lobbyist issued the invitation, then the analysis would stop here and, if the official wanted to attend, then he would personally pay for his own ticket.

### **Acceptance of Free Attendance to a Dinner Gala (WAG rule)**

This gift offered is a gift of free attendance to a reception and dinner gala hosted by the Burton Awards. Therefore, we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source – typically a person either regulated by or seeking to do business with the EPA. In this instance, this is a gift offered because of the official's position and also by a prohibited source. There are exceptions to this rule to allow employees to accept some gifts, and in this instance, only the WAG rule is available for analysis under the gift rules. Here, because the law firm is offering the gift and not the host of the event (Burton Awards), then there is a threshold dollar limit that determines whether acceptance is permissible. When a person other than the host issues the invitation, a federal employee may be eligible to accept the invitation if the value is less than \$375. Based on ticket pricing for this event, the minimum value of the gift is at least \$5,688. Because the gift is over the threshold limit, it is not permissible to accept it. The only way the official

could attend is by personally paying for his own ticket. Should the official want to pay to attend, please follow up so I can confirm the exact value of the gift.

---

**From:** Hupp, Sydney  
**Sent:** Tuesday, May 09, 2017 9:47 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** FW: On behalf of Bernie Nash

Would he be able to attend this?

---

**Sydney Hupp**  
Executive Scheduler  
Office of the Administrator  
202.816.1659 (c)

---

**From:** Lundahl, Emily [<mailto:ELundahl@cozen.com>]  
**Sent:** Monday, May 8, 2017 12:48 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** RE: On behalf of Bernie Nash

Sydney,

Please see attached. Let me know if you have further questions.

Thank you,  
Emily



**Emily Lundahl**  
**Policy Coordinator | Cozen O'Connor**  
1200 19th Street, NW | Washington, DC 20036  
P: 202-471-3424 F: 202-912-4812  
[Email](#) | [Bio](#) | [Map](#) | [cozen.com](#)

---

**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]  
**Sent:** Monday, May 8, 2017 12:42 PM  
**To:** Lundahl, Emily <[ELundahl@cozen.com](mailto:ELundahl@cozen.com)>  
**Cc:** Millan Hupp <[millan.hupp@gmail.com](mailto:millan.hupp@gmail.com)>; Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>  
**Subject:** RE: On behalf of Bernie Nash

Hey Emily,

So the Administrator has an event that night until 6. What are the details (attire, time, location) on the Burton Awards?

Thank you!

---

**Sydney Hupp**  
Executive Scheduler  
Office of the Administrator  
202.816.1659 (c)

---

**From:** Hupp, Sydney  
**Sent:** Thursday, April 20, 2017 4:21 PM  
**To:** 'Lundahl, Emily' <ELundahl@cozen.com>  
**Cc:** Millan Hupp <millan.hupp@gmail.com>; Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Subject:** RE: On behalf of Bernie Nash

Oh, I'm sorry! I misread that. Let me touch base with the Administrator on it, but I think we are in town that day.

Thanks!

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

---

**From:** Lundahl, Emily [mailto:ELundahl@cozen.com]  
**Sent:** Thursday, April 20, 2017 10:12 AM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Cc:** Millan Hupp <millan.hupp@gmail.com>; Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Subject:** RE: On behalf of Bernie Nash

Hi Sydney,

I think there is slight confusion. We are not inviting Administrator Pruitt to speak, which the form suggests otherwise. My message was just to let you all know that The Burton Awards would be sending an invitation for him to attend as a guest, and if he does attend that Bernie would like to invite him to sit at his table. Administrator Pruitt spoke a few years back at this event, so he should be familiar with it.

Please let me know if you still need me to fill out the form, though.

Thank you,  
Emily



**Emily Lundahl**  
**Policy Coordinator | Cozen O'Connor**  
1200 19th Street, NW | Washington, DC 20036  
P: 202-471-3424 F: 202-912-4812  
Email | Map | cozen.com

---

**From:** Hupp, Sydney [mailto:hupp.sydney@epa.gov]  
**Sent:** Thursday, April 20, 2017 9:41 AM  
**To:** Lundahl, Emily <ELundahl@cozen.com>  
**Cc:** Millan Hupp <millan.hupp@gmail.com>; Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Subject:** RE: On behalf of Bernie Nash

Hi Emily,

Hope this email finds you well! So sorry for the delay! Would you mind filling out the attached form pretty please so we can look at calendaring this request?

Thank you!



Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

---

**From:** Millan Hupp [<mailto:millan.hupp@gmail.com>]  
**Sent:** Wednesday, April 12, 2017 6:31 PM  
**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>  
**Subject:** Fwd: On behalf of Bernie Nash

Millan Hupp

Begin forwarded message:

**From:** "Lundahl, Emily" <[ELundahl@cozen.com](mailto:ELundahl@cozen.com)>  
**Date:** April 12, 2017 at 11:57:17 AM EDT  
**To:** Millan Hupp <[millan.hupp@gmail.com](mailto:millan.hupp@gmail.com)>  
**Subject:** RE: On behalf of Bernie Nash

Hi Millan,

I have not heard from Sydney so I thought I would touch base again.

Thank you,  
Emily



**Emily Lundahl**  
Policy Coordinator | Cozen O'Connor  
1200 19th Street, NW | Washington, DC 20036  
P: 202-471-3424 F: 202-912-4812  
Email | Map | [cozen.com](http://cozen.com)

---

**From:** Millan Hupp [<mailto:millan.hupp@gmail.com>]  
**Sent:** Saturday, April 8, 2017 9:24 AM  
**To:** Lundahl, Emily <[ELundahl@cozen.com](mailto:ELundahl@cozen.com)>  
**Subject:** Re: On behalf of Bernie Nash

Emily,

Great to hear from you! I have passed this along to Sydney who handles all the scheduling. She should be in touch on Monday.

Thank you.

Millan Hupp

On Apr 7, 2017, at 4:50 PM, Lundahl, Emily <[ELundahl@cozen.com](mailto:ELundahl@cozen.com)> wrote:

Hi Millan,

Hope you are well. Bernie wanted me to let you know that Administrator Pruitt will be receiving an invitation to the Burton Awards from Bill Burton. You may recall that the Administrator spoke at one of the luncheons a few years ago in his AG capacity. The Burton Awards will take place on Monday, May 22. If he is able to attend, Bernie would like to invite him to sit at his table with Lori Kalani and Senator Luther Strange who has said he would be attending. Administrator Pruitt's wife or a staff member is also invited.

Let me know if you have any questions.

Thank you,  
Emily



Emily Lundahl  
Policy Coordinator | Cozen O'Connor  
1200 19th Street, NW | Washington, DC 20036  
P: 202-471-3424 F: 202-912-4812  
Email | Map | cozen.com

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***intended recipient, an employee or agent of the intended recipient who is responsible for delivering it to the intended recipient, or you believe that you have received this communication in error, please notify the sender immediately by return e-mail and promptly delete this e-mail, including attachments without reading or saving them in any manner. The unauthorized use, dissemination, distribution, or reproduction of this e-mail, including attachments, is prohibited and may be unlawful. Receipt by anyone other than the intended recipient(s) is not a waiver of any attorney/client or other privilege.***

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THE  
**BURTON  
AWARDS**  
A TRADITION OF EXCELLENCE

**Burton Awards Annual Awards Program and Gala:** The Burton Awards for Legal Achievement, held in Association with the Library of Congress, and Co-Sponsored by the American Bar Association, is an academic, nonprofit, 501(c)(3) foundation, formed in 1999.

**Date:** Monday, May 22, 2017.

**Legends in Law Luncheon:** Members Room, 12:00 p.m.

**Burton Awards:** Coolidge Auditorium, 4:00 p.m.

**Cocktail Reception:** Great Hall, 6:00 p.m.

**Gala/Dinner:** Great Hall, Atrium Level, 6:30 p.m. to 8:00 p.m.

**Nature of Burton Awards:** The awards program is designed to reward major achievements in the law, ranging from literary awards to the greatest reform in law. The awards are selected by professors from Yale Law School, Harvard Law School, UC Berkeley School of Law, and Stanford Law School, among others. The members of the Honorary Board of Trustees are Former Chief Judge Richard Posner, 7th Circuit U.S. Court of Appeals; Judge Alex Kozinski, 9th Circuit U.S. Court of Appeals; U.S. Senator John Cornyn; U.S. Senator Robert P. Casey, Jr.; U.S. Senator Mike Crapo; U.S. Senator Michael F. Bennet; Supreme Court Justice Carol Corrigan of California; Yabo Lin, Partner, Sidley Austin LLP; Jane Sullivan Roberts, Partner, Major, Lindsey & Africa; Lisa Rickard, President, U.S. Chamber Institute for Legal Reform; Elissa Lichtenstein, Director, Public Services Division, American Bar Association; Thomas L. Sager, Partner, Ballard Spahr LLP; Les Parrette, Senior Vice President, General Counsel and Compliance Officer, Novartis Inc.; James M. Rishwain, Jr., Chairman of Emeritus, Pillsbury Winthrop LLP; Betty Whelchel, Head of Public Policy & Regulatory Affairs, BNP Paribas SA; and Stephen R. Mysliwiec, Partner, DLA Piper LLP (US).

**Event Venue:** Library of Congress, Coolidge Auditorium and Great Hall  
10 First Street, S.E., Washington, D.C.

**Burton Awards Address:** 245 Park Avenue, 39th Floor  
New York, New York 10167

**Chair:** William Burton, Esq.

**Title:** Founder and Chair

**Vice Chair:** Yabo Lin

**E-mail address:** [academiccommittee@burtonawards.com](mailto:academiccommittee@burtonawards.com)

**Contact Person:** Morgan Wilson

**Title:** Associate Director

**Telephone:** (212) 672-1862

**Approximate size/description of the audience:** 500 guests



**What is the proper attire?** Black tie.

**Who is performing?** Darrell Hammond, Impressionist & Comedian from Saturday Night Live

**Legend in Law Selection Committee**

Co-Chair: Thomas L. Sager,  
Partner, Ballard Spahr LLP

Co-Chair: Les Parrette  
Senior Vice President, Novelis Inc.

Member: Yabo Lin member of  
Partner, Sidley Austin LLP  
Vice Chair, Burton Awards

Member: William C. Burton  
Partner, Sagat Burton LLP  
Founder & Chair, Burton Awards



**Hosts and Sponsors**

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**About the Library of Congress**

The Library of Congress is the research Library of the United States Congress, the de facto national library of the United States and the oldest federal cultural institution in the United States. Located in three buildings in Washington, D.C., it is the largest library in the world by shelf space and holds the largest number of books. The Library of Congress was established by Congress in 1800 and was housed in the United States Capitol for most of the 19th Century. The Library's primary mission is researching inquiries made by members of Congress through the Congressional Research Service and although it is open to the public, only legislators, Supreme Court justices and other high-ranking government officials may check out books.

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**The American Bar Association, Co-Sponsor**

With nearly 400,000 members, The American Bar Association is one of the largest voluntary professional membership organizations in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

**The Burton Foundation**

The Burton Foundation is a nonprofit, cultural and academic organization devoted to further promoting the performance and stature of the legal profession.

**About the Chairman**

The Founder and Chair of The Burton Awards for Legal Achievement is William C. Burton, Esq., a partner in the law firm of Sagat|Burton LLP. He is a former New York State Assistant Attorney General, a former New York State Assistant Special Prosecutor, and the author of the first legal thesaurus ever written for the profession of law, BURTON'S LEGAL THESAURUS (5th edition), published by McGraw-Hill. He was presented the highest honor given by The Legal Writing Institute, for "significantly advancing the cause of legal writing in the profession of law." In addition, the Law Library of Congress presented Burton with the "Blackstone Award" for exemplifying the best objectives of the Law Library of Congress and advancing the mission and activities of the Law Library of Congress.

May 3, 2017

Hon. Scott Pruitt  
Administrator, Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: National Awards Program, May 22, 2017, Library of Congress

Dear Administrator Pruitt:

Almost two decades ago, I established a national non-profit foundation in law to promote the legal profession and encourage excellence by all lawyers. My concept then, as it is now 18 years later, is to select the finest recipients, and, therefore, set an example for all to follow.

Our emphasis - since the outset - was to encourage clear and cogent legal writing. That is my enduring interest, especially since I authored the first thesaurus in law. Since that time, the awards program has grown universally. Today, our scope of our awards ranges from lawyers in the military to attorneys in the executive branch, from general counsel of the world's largest corporations to managing partners in America's finest law firms, and from professors at law schools to journalists in law, and even legal writers in the largest law firms and leading law schools.

Our program is now co-sponsored by the American Bar Association, and presented in association with the Library of Congress. Since it is non-profit, there are no commercial aspects and our selections are made by leading professors and highly distinguished professionals.

As in the past, we are honored that Chief Justice Roberts has traditionally attended our reception; Justice Ginsburg is on the program this year, and Justice Sotomayor is attending our Gala. In addition, Chief Judge US Court of Appeals for the Second Circuit, Robert Katzmann, will also be a recipient at the event.

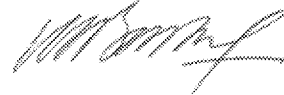
To this effect, we would be extremely honored if you would accept this invitation to join us at the Gala on Monday, May 22, 2017 in the Great Hall of the Library of Congress. The Reception begins at 6:30pm in the Great Hall, the Dinner starts at 7pm, and impressionist Darrell Hammond's performance is set for 8:45 pm. We expect over 400 guests to attend the event, including the General Counsels of General Motors, CBS, Apple, Paypal, Toyota, Bank of America, and Home Depot, etc.

As a matter of background, our Honorary and Distinguished Board of Directors include: Judge Richard Posner, 7th Circuit U.S. Court of Appeals; Judge Alex Kozinski, 9th Circuit U.S. Court of Appeals; U.S. Senator John Cornyn; U.S. Senator Robert P. Casey, Jr.;

U.S. Senator Mike Crapo; U.S. Senator Michael F. Bennet; Supreme Court Justice Carol Corrigan of California; Yabo Lin, Partner, Sidley Austin LLP; Jane Sullivan Roberts, Partner, Major, Lindsey & Africa; Lisa Rickard, President, U.S. Chamber Institute for Legal Reform; Elissa Lichtenstein, Director, Public Services Division, American Bar Association; Thomas L. Sager, Partner, Ballard Spahr LLP; Les Parrette, Senior Vice President, General Counsel and Compliance Officer, Novelis Inc.; James M. Rishwain, Jr., Chairman of Emeritus, Pillsbury Winthrop LLP; Betty Whelchel, Head of Public Policy & Regulatory Affairs, BNP Paribas SA; Stephen R. Mysliwiec, Partner, DLA Piper LLP (US); Brian E. Cabrera, Former SVP and General Counsel, NVIDIA Corporation; and Linda Klein, President, American Bar Association.

Again, we would be extremely honored, and genuinely delighted, if you would accept this invitation and join us on May 22, 2017 for an evening to celebrate law.

With all my best wishes,

A handwritten signature in black ink, appearing to read 'William C. Burton', with a stylized flourish at the end.

William C. Burton  
Founder & Chair



## 2017 BURTON AWARDS PROGRAM

A TRADITION  
OF EXCELLENCE

THE  
BURTON  
AWARDS

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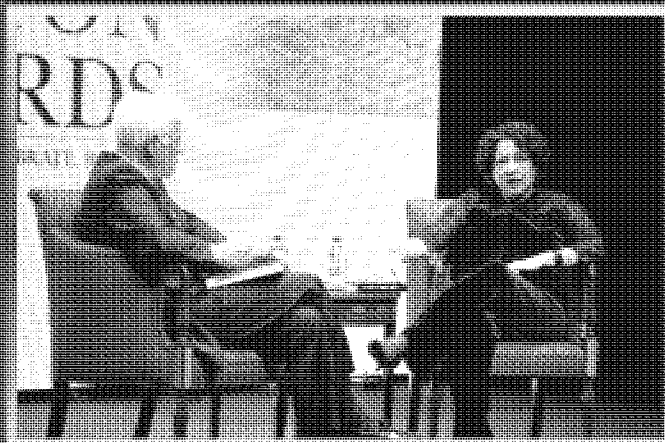
## SPECIFICS OF THE 2017 BURTON AWARDS PROGRAM

The 18th annual national awards will be held on Monday, May 22, 2017 at the Library of Congress. U.S. Supreme Court Justice Ruth Bader Ginsburg, will be awarded the Book of the Year in Law.

## THE BURTON AWARDS: AN ESTABLISHED TRADITION IN LAW

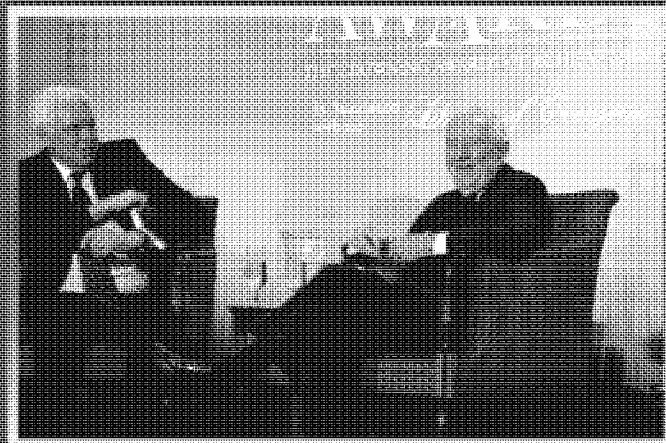
The Burton Awards program is run in association with the Library of Congress. The non-profit event is held each year to honor distinguished writers and recognize leaders in law, including those counsel belonging to America's most prestigious law firms. Patterned after the Pulitzerz, the program has become one of the most prominent and dynamic awards programs in law. While the emphasis is on writing, the program is also geared towards rewarding legal achievement in many other areas of law. In addition, awards are also given to general counsel for their distinguished careers in law.

## PRIOR RENOWNED GUEST SPEAKERS



*Above left:* Justice Stephen Breyer meets with Colonel Logan who won the 2016 Public Service in Military Award along with other high ranking members of the military. *Above right:* U.S. Supreme Court Justice Sonia Sotomayor, honored guest at the 2013 program.

*Below left:* U.S. Supreme Court Justice John Paul Stevens (retired). *Below right:* U.S. Supreme Court Justice Ruth Bader Ginsburg discusses writing, the art of persuasion and memorandums of law with Bill Press, CNN commentator and Master of Ceremonies.



## AWARD CATEGORIES

**The Legends in Law Awards** — These awards recognize the finest general counsel in the world's largest corporations.

**Distinguished Writing Awards** — Presented to the best law firm and law school authors.

**Distinguished Public Service in the Military** — Presented to the finest lawyers in the military.

**Leadership in Law Award** — This award is given to the nation's finest managing partner in a leading law firm.

**Outstanding Contributions to Legal Writing Education Award** — Presented for outstanding contributions to the education of new lawyers in the field of legal analysis, research and writing, whether through teaching, program design, program support, innovative thinking or writing.

**Book of the Year Award** — Presented to the authors of the most outstanding book in the profession of law.

**Distinguished Public Service in the Executive Branch** — These awards are given to top tier and staff-member levels of the Executive Branch.

**Blog of the Year** — Presented to the law firm which has published the most outstanding blog in the country on the issues involving law.

**The Outstanding Journalist in Law** — Presented for a lifetime of achievement and accomplishment reporting on legal issues, cases or the profession.

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*US Court of Appeals for the 9th Circuit*

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*Former SVP and General Counsel,  
NVIDIA Corporation*

**Linda Klein**  
*President, American Bar Association*



## ABA ANNOUNCES SPONSORSHIP OF THE BURTON AWARDS TO HONOR MAJOR ACHIEVEMENTS IN LAW

WASHINGTON, April 7, 2015 – American Bar Association President William C. Hubbard announced that the ABA will sponsor the Burton Awards, a national awards program created by William C. Burton and runs in association with the Library of Congress and its Law Library.

The Burton Awards program rewards accomplishments in law, including the finest writing, teaching, journalism, public service in government, public interest work, general counsel efforts and achievements of lawyers in the military. Close to 70 awards are presented annually.

Hubbard said, "The ABA and the Burton Awards program share a desire to promote excellence in the legal profession. Both organizations have the ultimate goal of encouraging the highest level of accomplishment in law. This new relationship builds on the finest traditions of the American Bar Association."

The Standing Committee on the Law Library of Congress, chaired by Elizabeth Medaglia, will be the ABA liaison to the awards program. This year's awards program will take place on June 15 at the Library of Congress. Justice Sonia Sotomayor will be the guest speaker. Robert Katzmann, chief judge, U.S. Court of Appeals for the Second Circuit, will also participate in the program. Emmy and Tony award winning actress and singer Kristen Chenoweth will provide entertainment.

William C. Burton, founder and chair of the awards program, said, "We are profoundly honored and grateful to President William Hubbard, Chairperson Elizabeth Medaglia and the members of the House of Delegates of the American Bar Association for their partnership. I could not think of a greater honor for our program. I look forward to working with this renowned institution to continue to recognize the greatest accomplishments in law."

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39th Floor  
New York, NY 10167  
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Message

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**From:** Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]  
**Sent:** 5/12/2017 5:51:18 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Fwd: ETHICS) Follow up on Burton Awards

Sent from my iPhone

Begin forwarded message:

**From:** "Dravis, Samantha" <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Date:** May 12, 2017 at 1:48:44 PM EDT  
**To:** "Keith, Jennie" <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** RE: ETHICS) Follow up on Burton Awards

I received it from the Burton Award, not from Bernie Nash. However, I saw on the Administrator's scheduling requests that he has been invited to the same event and the scheduling request has the name Bernie Nash referenced.

In any case, I decided I do not want to report a \$7000 gift on my Integrity report so I am not attending, and I believe the Administrator is not either. Thanks for doing the analysis.

---

**From:** Keith, Jennie  
**Sent:** Friday, May 12, 2017 1:00 PM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Subject:** ETHICS) Follow up on Burton Awards

Samantha,

Is your invitation linked to the law firm Cozen O'Connor and/or Bernie Nash? Or did you receive your invitation directly from the Burton Awards?

Thanks!  
Jennie for OGC/Ethics  
202-564-3412

---

**From:** Dravis, Samantha  
**Sent:** Thursday, May 11, 2017 3:13 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** RE: (ETHICS) Gift Determination (Samantha Dravis)

Ok thank you for the quick response Jennie. So to summarize – I may attend, and if I do attend I must report the gift in the amount of \$6,500.

Thank you again.

---

**From:** Keith, Jennie  
**Sent:** Thursday, May 11, 2017 3:09 PM  
**To:** Dravis, Samantha <dravis.samantha@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** (ETHICS) Gift Determination (Samantha Dravis)

Dear Samantha,

OGC/Ethics advises that you **may accept** this invitation and attend the event. The reception qualifies for the WAG rule gift exception, and as such, OGC/Ethics determines that your attendance at the event is in the Agency's interest because it will further agency programs and operations. Should you attend, you will be required to report this as a gift on your next public financial disclosure form due in May 2018 (INTEGRITY). You may accept this invitation for yourself only. See the following for more complete details.

Best, Jennie for OGC/Ethics

### **White House Ethics Pledge**

The White House Ethics Pledge does not allow political appointees to accept gifts from registered lobbyists. The persons extending the invitation are not registered lobbyists or lobbying organizations, therefore the Ethics Pledge is not implicated.

### **Acceptance of Free Attendance to a Dinner (WAG rule)**

This gift offered is an evening reception and dinner hosted by the Burton Awards. Because the organization is offering you a complimentary ticket, we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source – typically a person either regulated by or seeking to do business with the EPA. In this instance, this is a gift offered because of your official position. There are exceptions to this rule to allow employees to accept some gifts. In this instance the WAG rule is available because the reception will be widely attended, there will be a diversity of views represented, and an opportunity for the exchange of ideas. Finally, in order to utilize this gift exception, OGC/Ethics must also make a determination that it's in the Agency's interest for you to attend. I do conclude that there is an Agency interest should she choose to attend the event.

### **Financial Disclosure Implications**

An individual ticket to this event costs \$6,500. Therefore, if you accept this gift, you will have to report this on the annual public financial disclosure report due May 15, 2018 because the gift is greater than the reporting threshold of \$375.

---

**From:** Dravis, Samantha  
**Sent:** Thursday, May 11, 2017 1:03 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: 2017 Burton Awards

---

**From:** Emily Delaney [<mailto:edelaney@burtonawards.com>]  
**Sent:** Thursday, May 11, 2017 12:54 PM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Subject:** 2017 Burton Awards

Dear Ms. Dravis,

The Burton Awards would like to invite you to our event on May 22, 2017. We would be thrilled if you were able to attend and would like to reiterate that this is a complimentary ticket!

Kindest regards,

*Emily Delaney*  
Director of Outreach  
The Burton Awards  
245 Park Avenue  
New York, New York 10167  
(212)-672-1857

Message

---

**From:** Griffo, Shannon [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C901EB2C3BA4556A4A581B8816D5A9A-VALLANCE, SHANNON]  
**Sent:** 8/11/2017 7:29:44 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** FW: hey, wait a minute ...

## Ex. 5 - Deliberative Process

A few notes from Guidance 09-11 on this topic:

- Agency ethics officials will have to exercise judgement in determining whether a specific forum qualifies as a meeting or other event that is "open to all interested parties" and OGE is prepared to assist with this analysis....
- For example, if an agency is holding a meeting with 5 or more stakeholders regarding a given policy or piece of legislation, an appointee could attend such a meeting even if one of the stakeholders is a former employer or former client; such circumstances do not raise the concerns about special access at which the EO is directed.
- the exception refers to particular matters of general applicability and also covers "communications and meetings regarding policies that do not constitute particular matters."

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
Griffo.Shannon@epa.gov

---

**From:** Schwab, Justin  
**Sent:** Friday, August 11, 2017 3:00 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Griffo, Shannon <Griffo.Shannon@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>  
**Subject:** Re: hey, wait a minute ...

Thank you. I have one follow up (for now):

"

- If the subject matter of the meeting is a matter of general applicability, and is attended by more than five entities, then you may attend, even if UARG is represented by the Southern Company employee. "

So if (hypothetically) UARG, Southern, and four other UARG members have representatives present, and if I do not have any issue with UARG or with the four other members, (and if the subject is of general applicability), I may attend?

Sent from my iPhone

On Aug 11, 2017, at 2:56 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Justin,

You came by yesterday and raised the following hypothetical with us:

One of your former clients is Southern Company, which is also a member of UARG, which is a trade association. What are your ethical obligations if UARG comes to EPA for a discussion, and one of the UARG representatives is an employee of Southern?

When you were in my office, I answered your question by making an assumption about the subject matter of the meeting and the number of attendees. Shannon pointed out to me that I really should make sure that my assumption was correct. So let me provide you with some clarity:

- If the subject matter of the meeting is a specific party matter, then you cannot attend.
- If the subject matter is a matter of general applicability but only UARG (and the Southern Company employee) is present, then you cannot attend.
- 

Enjoy your time off!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



Message

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**From:** Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]  
**Sent:** 10/18/2017 10:27:22 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: announcement

## Ex. 5 - Deliberative Process

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Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Oct 17, 2017, at 10:06 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

He joined EPA? Gosh, no one tells me anything!

## Ex. 5 - Deliberative Process

Also, like you, I read his resume as saying he left Ag Advisors in 2015. Was that a typo?

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 9:53 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Re: announcement

He left the Ag retailers in 2015. He joined EPA Monday. I'll get month he left.

---

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Oct 17, 2017, at 8:48 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Oh, I read your message asking whether you (Ryan) could speak to the Ag Advisors. Now I see that you're asking whether he (Jeff) can do so. The answer is that I need to know when he left that position and when he will be joining

EPA. Under the Trump ethics pledge, we look at his EPA start date and then look back two calendar years. If he worked for Ag Advisors during that two year period, then he will not be able to interact with them for two years going forward. So specific dates will matter in order for me to give you super clear advice.

I know, I am never helpful, am I?  
Justina

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 5:38 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: announcement

**Ex. 5 - Deliberative Process**

☐ But I just noticed that he worked for the ag retailers. Not the immediate previous employer but did at one point. Maybe that doesn't matter now that I think about it. ☐

**Ex. 5 - Deliberative Process**

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**From:** Fugh, Justina  
**Sent:** Tuesday, October 17, 2017 5:25 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: announcement

Yes, you can speak in your official capacity to the Ag Retailers. Sands may not be able to do so when he joins EPA, but you sure can. If they offer to pay for your travel expenses, let me know. I have to approve that in advance.

Cheers,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 4:54 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: announcement

Hey I just noticed on Jeff's resume that he worked for the Ag Retailers. Can I speak to their annual conference? I'm assuming that's a no.

Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency

**Ex. 6 - Personal Privacy**

Message

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**From:** Jackson, Ryan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=38BC8E18791A47D88A279DB2FEC8BD60-JACKSON, RY]  
**Sent:** 10/18/2017 2:00:22 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** Re: announcement

So he left employment with Ag retailers in December 2014. So good. He can speak to their annual meeting then. He worked for Ag retailers as a lobbyist for them for 3 years from 2012 thru 2014.

---

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Oct 17, 2017, at 9:53 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

He left the Ag retailers in 2015. He joined EPA Monday. I'll get month he left.

---

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Oct 17, 2017, at 8:48 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Oh, I read your message asking whether you (Ryan) could speak to the Ag Advisors. Now I see that you're asking whether he (Jeff) can do so. The answer is that I need to know when he left that position and when he will be joining EPA. Under the Trump ethics pledge, we look at his EPA start date and then look back two calendar years. If he worked for Ag Advisors during that two year period, then he will not be able to interact with them for two years going forward. So specific dates will matter in order for me to give you super clear advice.

I know, I am never helpful, am I?  
Justina

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 5:38 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: announcement

**Ex. 5 - Deliberative Process**

But I just noticed that he worked for the ag retailers. Not the immediate previous employer but did at one point.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

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**From:** Fugh, Justina  
**Sent:** Tuesday, October 17, 2017 5:25 PM  
**To:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** RE: announcement

Yes, you can speak in your official capacity to the Ag Retailers. Sands may not be able to do so when he joins EPA, but you sure can. If they offer to pay for your travel expenses, let me know. I have to approve that in advance.

Cheers,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Tuesday, October 17, 2017 4:54 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: announcement

Hey I just noticed on Jeff's resume that he worked for the Ag Retailers. Can I speak to their annual conference? I'm assuming that's a no.

Ryan Jackson  
Chief of Staff  
U.S. Environmental Protection Agency

Ex. 6 - Personal Privacy

**External Meeting Request Form for  
Administrator E. Scott Pruitt**

**U.S. Environmental Protection Agency**

*To request the Administrator to attend and/or speak at your event, please complete and submit the following form.*

**Today's Date:** 07-05-17

**Meeting Date:** 10-23-17

**Meeting Time:** 9:30am – 11:00am

**Requested Location:** Hilton Nashville Downtown...Nashville, TN...the meeting will be in the ballroom area.

**Requestor:** Charlie Polston

**Purpose of the Meeting:** BG Products, Inc. 46<sup>th</sup> Annual International Sales Convention

**Background on the Meeting:** BG Products, Inc. is a supplier of chemicals and lubricants for the Automotive Industry. EPA mandates have a big impact on the Automotive Industry. Topics would include: CAFÉ, Clean Diesel, Ethanol, BioDiesel, and more.

**Role of the Administrator:** Keynote Speaker (speak for 30-45 minutes followed by a discussion format for 30-45 minutes)

**Attendees:** 300 BG Distributors and Managers and their spouses. About 250 from North America and 50 from around the world. This is a private meeting with no members of the public invited. BG Products, Inc. is a privately held company.

**Point of Contact:** Charlie Polston      [charliepolston@cox.net](mailto:charliepolston@cox.net)

Ex. 6 - Personal Privacy

Message

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**From:** Benton, Donald [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9A612FEF5295424D9D78D3145C6CFE36-BENTON, DON]  
**Sent:** 3/7/2017 11:10:58 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: Wyoming Association of Municipalities Opening Session Speaker

Justina, I am checking on the travel orders question.  
Thanks,

Don  
Senator Don Benton  
Senior White House Advisor  
Office of the Administrator  
202.564.4711



---

**From:** Fugh, Justina  
**Sent:** Tuesday, March 7, 2017 10:09 AM  
**To:** Benton, Donald <benton.donald@epa.gov>  
**Subject:** RE: Wyoming Association of Municipalities Opening Session Speaker

Hi,  
Yes, I'll remind the people who need to sign the pledge, which are: Layne Bangerter, Doug Ericksen, Ryan Jackson and Samantha Dravis. Byron Brown is an AD appointment so not required to sign the pledge.

I can approve the acceptance of travel from the non-federal source, but who will be preparing your travel orders? I need to work with that person to get the appropriate ethics travel form processed.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Benton, Donald  
**Sent:** Monday, March 06, 2017 7:02 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Wyoming Association of Municipalities Opening Session Speaker

Please review this invitation for me to speak in my official capacity with EPA. They are willing to gift to the agency the cost of the airfare and lodging.

On another note could you please send a friendly reminder to Layne, Ryan and Samantha and now Byron Brown for the ethics pledge?

Thank you,

Don  
Senator Don Benton  
Senior White House Advisor  
Office of the Administrator  
202.564.4711



**From:** Patti Davidsmeier [<mailto:patti@gillettewy.gov>]  
**Sent:** Monday, March 6, 2017 10:48 AM  
**To:** Benton, Donald <[benton.donald@epa.gov](mailto:benton.donald@epa.gov)>  
**Subject:** Wyoming Association of Municipalities Opening Session Speaker

Good Morning Don,  
Thanks for returning my call on Saturday. The City of Gillette is excited to be hosting the Wyoming Association of Municipalities Convention in Gillette, Wyoming on May 31 - June 2, 2017. The participants for this convention are Mayors, Council Members and staff from across the state of Wyoming. During the convention, an Opening Session will be held on Thursday, June 1 beginning at 8:30 AM. We have received confirmation from US Congressman Enzi and US Congresswoman Cheney that they will both be speaking. Since you have joined the transition team for President Trump as his Senior White House Advisor to the EPA committee, AND you have attended one of our Congressional tours during your role as Senator, we thought it would be appropriate for you to speak as well.  
We would like for you to talk about any changes you see for Wyoming as far as EPA rules and talk about things that we may not know are happening. I will send more details later after we have confirmation that you will be joining us.  
It is my understanding that you may know about this speaking engagement by the end of this week. I have confirmed that your travel will be paid for.  
Thank you for your consideration and we are hopeful that we will see you at the convention.

*Patti Davidsmeier*

Community & Governmental Relations Manager  
(office) 307-686-5203  
(cell) Ex. 5 - Deliberative Process  
My e-mail has changed to [patti@gillettewy.gov](mailto:patti@gillettewy.gov)

Emails and attachments may be public records under the Wyoming Public Records Act, W.S. § 16-4-201 et seq., and may be subject to public disclosure pursuant to this Act, unless a specific exception applies which limits or prohibits disclosure.



Message

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**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 10/17/2017 1:57:35 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]  
**Subject:** RE: Ethics Approval for Nashville Speaking Event 10/23  
**Attachments:** External Meeting Request Form.docx

Jennie,

Mrs. Pruitt is NOT attending as I mentioned below.

Attached is the event request form. This has a clear tie to EPA's mission. They are a supplier of chemicals and lubricants for the auto industry and are directly affected by CAFÉ, RFS/Ethanol, etc. We put this event through the same process the scheduling team uses for every other event and found it to have a clear purpose for the Agency.

In addition to this event, we also have other Agency business in Nashville during this visit. We will be meeting with the Governor and also attending an event with the Farm Bureau around WOTUS and pesticides issues.

Let me know if you need anything else!

*Hayley Ford*

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Keith, Jennie  
**Sent:** Tuesday, October 17, 2017 9:04 AM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Ethics Approval for Nashville Speaking Event 10/23

Hi Haley,

Let's run the traps again on this invitation. Let's see if the answers to the following questions can help us out. Do you know the answers to the following questions?

- Did the invitee complete an event request form? Is this email all the information we have on the event? If invitee did complete the form, please forward that to me. If not, let's have them complete the form.

What is the content of the Administrator's speech?

Will the Administrator's wife be traveling with him?

Did someone at the agency make the call that speaking at this event was in the agency's interest? (per Justina's email). If so, who did? And what was the determination?

Who is Charlie and what kind of relationship does he have with the Administrator? (personal friend?).

What is the run of show/schedule for the Administrator that day?

Thanks!

Jennie for OGC/Ethics

---

**From:** Ford, Hayley  
**Sent:** Friday, October 13, 2017 4:02 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** FW: Ethics Approval for Nashville Speaking Event 10/23

Hi Jennie and Justina,

Justina may remember that Maddy and Millan ran the below event by Justina this summer. However, in reading through it and making sure we're all set, I don't feel comfortable with having gotten approval for this.

Can you please review once more and let us know if you have any questions? To clarify, Mrs. Pruitt will NOT be attending. I've highlighted the "agency interest" in the event in the original email below.

Thank you!

***Hayley Ford***

Deputy White House Liaison

Office of the Administrator

Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

On Aug 11, 2017, at 6:32 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Yep. Love that southern charm!

---

**From:** Hupp, Millan  
**Sent:** Friday, August 11, 2017 5:38 PM  
**To:** Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)>  
**Cc:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Re: Ethics Approval for Nashville Speaking Event 10/23

Thank you Justina and Maddy.

I don't believe we need to be concerned at this time with Mrs. Pruitt attending. It is my understanding that the hosts were simply being kind and hospitable by extending the invitation. I will take this as confirmation that the Administrator may speak at this event.

Sent from my iPhone

On Aug 11, 2017, at 3:29 PM, Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)> wrote:

Hi Millan,

Just wanted to close the loop on this request. It looks like we are good to go, Justina please correct me if I read that wrong. But please be advised about Mrs. Pruitt airfare.

Best,  
Maddy

---

**From:** Fugh, Justina  
**Sent:** Thursday, July 6, 2017 9:09 PM  
**To:** Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)>  
**Subject:** RE: Ethics Approval for Nashville Speaking Event 10/23

Gosh Maddy,  
I'm having a little trouble identifying the agency interest in this particular event, which is not open to the public. Adding to my confusion is the fact that the requestor appears to be a friend of the Administrator's and the invitation includes an offer of a gift for Mrs. Pruitt. We have to treat the gift to Mrs. Pruitt as a gift to the Administrator. I'm not qualified to make the call as to whether there is an Agency interest in reaching this particular audience, but I can make the call about the gift of travel! If someone (not me, not me!) determines that there is an Agency interest in speaking to this audience on this day, then I can consider using 31 USC 1353 to accept the travel expenses for Mr. Pruitt. Mrs. Pruitt can stay with him, of course, but I'd need to look more closely at whether we can use this authority to accept her airfare.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US  
EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton  
Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Morris, Madeline  
**Sent:** Wednesday, July 05, 2017 4:28 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Ethics Approval for Nashville Speaking Event 10/23

Hi Justina,

I hope you had a wonderful 4<sup>th</sup>! Please let me know if ethics approves this speaking request!

Best,  
Maddy

---

**From:** Charlie Polston **Ex. 6 - Personal Privacy**  
**Sent:** Friday, April 7, 2017 7:10 PM  
**Subject:** Scott Speaking at BG Convention Oct. 23rd....

Michelle and Sydney,

I asked Scott if he would be willing to be the keynote speaker for the BG Products, Inc. International Sales Convention, Oct. 23, 2017 in Nashville. He said he would do it if his schedule was open, so that is the purpose of my email. I have worked for BG for 35 years and so much of our business, the automotive industry, is tied to EPA regulations that having Scott here would be a good fit.

**Ex. 6 - Personal Privacy** and I will be there so we'd like Marlyn to accompany him. They could arrive on Sunday, Oct. 22<sup>nd</sup>, spend the night in Nashville and Scott would speak at about 10am on Oct. 23<sup>rd</sup>. I envision a 30 minute speech followed by about 45 minutes discussion in the form of Q & A. We usually have about 250 people from North America and about 50 others from around the world.

I would appreciate it if you could fit this into his schedule. Let me know what other details you need from me at this time. We will be staying at a golf resort in Nashville. We will cover all the expenses for Marlyn. (We'll cover the expenses for Scott, too...but I don't know if that is allowed or not.)

This far out, we are a little flexible. The morning of Oct. 23<sup>rd</sup> is best, but if it works out better for Scott's schedule he could speak on Oct. 24 or 25.

Thank you for your help,

Charlie  
**Ex. 6 - Personal Privacy**

**External Meeting Request Form for  
Administrator E. Scott Pruitt**

**U.S. Environmental Protection Agency**

*To request the Administrator to attend and/or speak at your event, please complete and submit the following form.*

**Today's Date: 07-05-17**

**Meeting Date: 10-23-17**

**Meeting Time: 9:30am – 11:00am**

**Requested Location: Hilton Nashville Downtown...Nashville, TN...the meeting will be in the ballroom area.**

**Requestor: Charlie Polston**

**Purpose of the Meeting: BG Products, Inc. 46<sup>th</sup> Annual International Sales Convention**

**Background on the Meeting: BG Products, Inc. is a supplier of chemicals and lubricants for the Automotive Industry. EPA mandates have a big impact on the Automotive Industry. Topics would include: CAFÉ, Clean Diesel, Ethanol, BioDiesel, and more.**

**Role of the Administrator: Keynote Speaker (speak for 30-45 minutes followed by a discussion format for 30-45 minutes)**

**Attendees: 300 BG Distributors and Managers and their spouses. About 250 from North America and 50 from around the world. This is a private meeting with no members of the public invited. BG Products, Inc. is a privately held company.**

**Point of Contact: Charlie Polston**

**Ex. 6 - Personal Privacy**

Message

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**From:** Jenkins, Donna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=76D48924578D469EA4BC96914FF53D9A-DJENKI02]  
**Sent:** 3/17/2017 7:04:46 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Anderson, Denise [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e83d5b8c83a044fc924de0696efd84c3-Anderson, Denise]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Hale, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb99f5247ab8412fa017133839301fee-Hale, Miche]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** Re: Meeting with Administrator Pruitt

Green Room available on March 29th. I will send you room layout form on Monday, March 20th. Thank you

Sent from my iPhone

On Mar 17, 2017, at 2:50 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi

The Oklahoma Farm Bureau is not part of the State of Oklahoma, so the Administrator does not have an impartiality issue with it. I don't have any ethics issues to raise, other than to remind you all that he can't accept any gift from the OFB that exceeds \$20.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Hupp, Sydney  
**Sent:** Friday, March 17, 2017 2:14 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>; Jenkins, Donna <[Jenkins.Donna@epa.gov](mailto:Jenkins.Donna@epa.gov)>; Anderson, Denise <[anderson.denise@epa.gov](mailto:anderson.denise@epa.gov)>  
**Cc:** Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>; Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>  
**Subject:** FW: Meeting with Administrator Pruitt

Hello all,

I would like to confirm the attached event for 1pm on the 29<sup>th</sup> in the Green Room.

Justina, will you please give the okay?

Millan will you please work with Donna and Denise to ensure that room will work?

Lincoln, they want him to address the attendees.

Thank you all!!

---

**From:** Tasha Duncan [<mailto:Tasha.Duncan@okfb.org>]

**Sent:** Friday, March 17, 2017 12:58 PM

**To:** Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>

**Subject:** RE: Meeting with Administrator Pruitt

Sydney,

Please see attachment!

Thanks again,

Tasha Duncan | Oklahoma Farm Bureau | 2501 N. Stiles Ave., OKC, OK 73102 | 405-530-2681

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**From:** Tasha Duncan

**Sent:** Friday, March 17, 2017 8:45 AM

**To:** 'Hupp, Sydney' <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>

**Subject:** RE: Meeting with Administrator Pruitt

Good morning Sydney,

Unfortunately, we are flying into DC the afternoon of March 28... please let me know, if the original March 29 proposal does or does NOT work for Administrator Pruitt, please! We are leaving DC the afternoon of March 31 and heading to Annapolis, Maryland until the evening of April 2... we are even open to the idea of possibly meeting with Administrator Pruitt in Annapolis on one of the later dates, if he is available! Please let me know, at your earliest convenience!

Thank you,

Tasha Duncan | Oklahoma Farm Bureau | 2501 N. Stiles Ave., OKC, OK 73102

---

**From:** Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]

**Sent:** Thursday, March 16, 2017 4:31 PM

**To:** Tasha Duncan <[Tasha.Duncan@okfb.org](mailto:Tasha.Duncan@okfb.org)>

**Subject:** Meeting with Administrator Pruitt

Hi Tasha,

Hope you are doing well! Michelle forwarded on to me your request to meet with Administrator Pruitt on March 29<sup>th</sup> during your Congressional Action Tour. It is actually looking like we might be traveling on the 29<sup>th</sup>, leaving the afternoon of the 28<sup>th</sup>. Is there any possibility of you being able to meet on the morning of the 28<sup>th</sup>? Additionally, would you mind completing the attached meeting request

form? Due to the large amount of scheduling requests coming in we are trying to streamline efforts a little bit. I am really hoping this meeting works out, we would love to see our Farm Bureau Friends!!

Best,  
Sydney Hupp



Message

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**From:** Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]  
**Sent:** 3/17/2017 6:59:18 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: API Board meeting invitation for Administrator Pruitt 22 March

It's okay, he is unable to make the reception regardless.

---

**From:** Fugh, Justina  
**Sent:** Friday, March 17, 2017 2:59 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: API Board meeting invitation for Administrator Pruitt 22 March

I haven't heard back from Khary Cauthen yet about that reception.

---

**From:** Hupp, Sydney  
**Sent:** Friday, March 17, 2017 2:56 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: API Board meeting invitation for Administrator Pruitt 22 March

Samantha, did you let them know we would be attending? The Administrator may be running a little behind to make it to the dinner at 6:30.

---

**From:** Fugh, Justina  
**Sent:** Thursday, March 16, 2017 2:36 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: API Board meeting invitation for Administrator Pruitt 22 March

Hi,  
The American Petroleum Institute (API) has invited the Administrator to speak to their Executive Committee and Board of Directors at their dinner meeting in Washington, DC. They have also invited him to the reception

that precedes the dinner. We've already addressed two other invitations, and the answer to this one will show why we love it when you ask OGC/Ethics in advance!

API is a federally registered lobbyist, so the Administrator cannot accept any gift from them. But he can speak to them and, if the event at which he is speaking is a dinner, he can also eat the meal. See 5 CFR 2635.203(b)(8) of the recently effective new gift rules. And under this exclusion, Millan may also attend and eat the meal.

But that reception is a bit of a tougher issue. He's not actually speaking at the reception, so then we have to figure out whether the reception is an integral part of the dinner at which he is speaking. If so, then we can clear him to attend the reception too. Do you know whether he wants to attend the reception or just the dinner? In any case, I have put a call into Khary Cauthen (who used to work at EPA) to ask him whether that reception is part of the whole event. If it is, then we can clear the Administrator to attend both.

Whatever I hear back, I'll circle back with you to confirm. But for now, he can at least attend the dinner, speak, and eat the meal.

Cheers,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Hupp, Sydney  
**Sent:** Thursday, March 16, 2017 12:56 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; **Cc:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>  
**Subject:** FW: API Board meeting invitation for Administrator Pruitt 22 March

Hello all—

Justina, will you please vet this from the ethics side?

Millan, will you please forward over the event request sheet and intro yourself as point of contact (since this is next week).

Aaron, will you please add this to the spreadsheet as a yes?

Lincoln, just want you to be aware that this speaking engagement is coming down the pipeline.

Thank you all!  
Sydney

---

**From:** Dravis, Samantha  
**Sent:** Wednesday, March 15, 2017 11:44 AM  
**To:** Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>; Hupp, Millan

<hupp.millan@epa.gov>

**Subject:** FW: API Board meeting invitation for Administrator Pruitt 22 March

I spoke to Administrator Pruitt and he wants to do this one. Could we calendar this, por favor?

Attendees will be myself and Ryan Jackson if he wants to.

We'll also need to check with Justina in ethics on the meals offered. API will tell us how much they cost so that we can reimburse.

---

**From:** Khary Cauthen [<mailto:cauthenk@api.org>]

**Sent:** Tuesday, March 14, 2017 3:17 PM

**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>

**Subject:** API Board meeting invitation for Administrator Pruitt 22 March

Ryan/Samantha: Good afternoon, hope that all is well with you two. Jack would like to invite Administrator Pruitt to our Board Dinner next Wednesday evening. Luckily our Board is meeting just across the street from your offices. We would love for the Administrator to attend part or all of the reception and dinner and I've attached the attendees of this year's Board Meeting Dinner. We have great attendance for this meeting as it is the first Washington DC API meeting of the new Administration/Congress.

Please do not hesitate to reach out with any questions.

Khary Cauthen  
202-682-8209 o

Ex. 5 - Deliberative Process C

Message

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**From:** Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]  
**Sent:** 3/16/2017 8:08:54 PM  
**To:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: API Board meeting invitation for Administrator Pruitt 22 March

Thank you!

---

**From:** Hupp, Millan  
**Sent:** Thursday, March 16, 2017 2:55 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Hupp, Sydney <hupp.sydney@epa.gov>  
**Cc:** Dickerson, Aaron <dickerson.aaron@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: API Board meeting invitation for Administrator Pruitt 22 March

Thank you, Justina.

---

**From:** Fugh, Justina  
**Sent:** Thursday, March 16, 2017 2:36 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** FW: API Board meeting invitation for Administrator Pruitt 22 March

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Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**Sent:** Thursday, March 16, 2017 12:56 PM

**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>; **Cc:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>

**Subject:** FW: API Board meeting invitation for Administrator Pruitt 22 March

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Thank you all!

Sydney

---

**From:** Dravis, Samantha

**Sent:** Wednesday, March 15, 2017 11:44 AM

**To:** Hale, Michelle <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>; Hupp, Sydney <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** FW: API Board meeting invitation for Administrator Pruitt 22 March

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We'll also need to check with Justina in ethics on the meals offered. API will tell us how much they cost so that we can reimburse.

---

**From:** Khary Cauthen [<mailto:cauthenk@api.org>]

**Sent:** Tuesday, March 14, 2017 3:17 PM

**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>

**Subject:** API Board meeting invitation for Administrator Pruitt 22 March

Ryan/Samantha: Good afternoon, hope that all is well with you two. Jack would like to invite Administrator Pruitt to our Board Dinner next Wednesday evening. Luckily our Board is meeting just across the street from your offices. We would love for the Administrator to attend part or all of the reception and dinner and I've attached the attendees of this year's Board Meeting Dinner. We have great attendance for this meeting as it is the first Washington DC API meeting of the new Administration/Congress.

Please do not hesitate to reach out with any questions.

Khary Cauthen  
202-682-8209 o

Ex. 5 - Deliberative Process C

Message

---

**From:** Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]  
**Sent:** 9/7/2017 8:07:45 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: meeting request  
**Attachments:** EPA Administrator Pruitt External Meeting Request Form.docx

Another!

*Hayley Ford*

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** George D. Baker [mailto:gdbaker@wms-jen.com]  
**Sent:** Thursday, September 7, 2017 3:33 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>  
**Subject:** RE: meeting request

Hayley: Per your request, attached please find our completed meeting request form. If you have any questions, you are welcome to call me. My office number is 202-659-8201 and my cell is Ex. 6 - Personal Privacy Always good to reach me by email though. Great thanks,

George Baker  
Williams & Jensen  
Counsel for OGE Energy Corp.

---

**From:** Ford, Hayley [mailto:[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)]  
**Sent:** Thursday, September 07, 2017 3:17 PM  
**To:** George D. Baker  
**Cc:** Dickerson, Aaron  
**Subject:** RE: meeting request

George,

I can absolutely look at both of their calendars and see if we can do this. Can I have you complete the attached meeting request form so that our scheduling team can review and get back to you very soon? If you can complete yet today, I hope to tentatively schedule a time next week.

Thank you!

*Hayley Ford*

Deputy White House Liaison

Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** George D. Baker [<mailto:gdbaker@wms-jen.com>]  
**Sent:** Thursday, September 7, 2017 1:10 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>; Willis, Sharnett <[Willis.Sharnett@epa.gov](mailto:Willis.Sharnett@epa.gov)>  
**Subject:** RE: meeting request

Hayley: In my asking yesterday for a meeting next week with Ryan Jackson for Sean Trauschke, Chairman and CEO of OG&E, I should also have indicated that if Ryan's schedule did not permit such a meeting Sean would certainly be interested in being able to discuss with Administrator Pruitt. The issue of concern involves the application of NSPS restrictions under Section 111(b) which threaten to limit the generation of new gas-powered turbines that were installed to replace coal-fired generation in compliance with EPA's regional haze mandate to Oklahoma. These new gas-powered turbines are critically important to maintain electric reliability both in Oklahoma and in the Southwest Power Pool. Sean would like the opportunity to brief Ryan or the Administrator on the situation when he is in town next Tuesday through Thursday. Please let me know whether there is a bit of time that might serve to create an opportunity for Sean to do so with the Administrator if Ryan cannot do so.

Great thanks.

George Baker  
Williams & Jensen  
Counsel for OGE Energy Corp.

Ex. 6 - Personal Privacy

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**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]  
**Sent:** Wednesday, September 06, 2017 5:35 PM  
**To:** Dickerson, Aaron; Willis, Sharnett  
**Cc:** George D. Baker  
**Subject:** FW: meeting request

George,

Thank you for reaching out. I want to e-introduce you to Aaron Dickerson and Sharnett Willis, who can speak with Ryan and hopefully find a time to schedule your visit. They can confirm for you.

Let me know if I can help in any other way!

*Hayley Ford*  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296



---

**From:** George D. Baker [<mailto:gdbaker@wms-jen.com>]  
**Sent:** Wednesday, September 6, 2017 4:54 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** meeting request

Hayley: Per your kind instruction, on behalf of Sean Trauschke, Chairman and CEO of OGE Energy Corp., I would like to request an opportunity for Sean to meet with Ryan Jackson next week September 12, 13 or 14, when Sean is in DC. Ryan knows Sean very well from past activities involving Oklahoma. While Sean has a schedule of meetings as chairman of the Oklahoma Chamber of Commerce which is having its DC fly-in next week, we would like to see if Ryan's schedule could accommodate some time with Sean to talk about the New Source Performance Standards under Section 111(b). I would be pleased to discuss particular time and date options that might be available. Please advise. Great thanks

George Baker  
Williams & Jensen  
Counsel for OGE Energy Corp.

Ex. 6 - Personal Privacy

## Disclaimer

This message, and any attachments to it, are from Williams & Jensen, PLLC and are intended only for the addressee. Information contained herein is confidential, privileged and exempt from disclosure pursuant to applicable federal or state law. If the reader of this message is not the intended recipient, you are notified that any use, dissemination, distribution, copying or communication of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by return email and delete the message and any attachments. Thank you

## Disclaimer

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## ***Meeting Request Form for Administrator Scott Pruitt***

**Today's Date:** September 7, 2017

**Meeting Date: Options:** Late afternoon of Tuesday September 12/All day Wednesday September 13/Morning to Mid Afternoon Thursday September 14

**Meeting Time:** See above

**Requested Location (if offsite, please list address, parking instructions, etc.):** EPA HQ

**Requestor:** Sean Trauschke, Chairman and CEO of OGE Energy Corp.

**Purpose of the Meeting:** Discussion of impact of NSPS 111(b) standards for new gas fired generation on reliability of electric service in Oklahoma and Southwest Power Pool

**Background on the Meeting:** New gas-fired power plants built to replace coal-fired units under mandate of EPA Regional Haze FIP for Oklahoma are constricted in operation under EPA 111(b) rules and thus have adverse implications for electric reliability in Oklahoma and Southwest Power Pool

**Role of the Administrator:** Understanding implications of EPA NSPS regulations on electric reliability

**Attendees:** Sean Trauschke, Chairman and CEO of OGE Energy Corp.; George Baker, Williams & Jensen

**Point of Contact:** George Baker, Williams & Jensen

Ex. 6 - Personal Privacy

Message

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**From:** Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]  
**Sent:** 3/16/2017 6:57:28 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]  
**Subject:** FW: Event Request Form, April 3 Reception/Dinner  
**Attachments:** Admin. Pruitt Event Request Form.tiff

Justina – could you kindly review and let me know if we may schedule the Administrator to attend this reception?

Thank you,  
Millan

---

**From:** Hupp, Millan  
**Sent:** Wednesday, March 15, 2017 3:05 PM  
**To:** Hupp, Sydney <hupp.sydney@epa.gov>  
**Subject:** FW: Event Request Form, April 3 Reception/Dinner

---

**From:** [rrobertson@depausa.org](mailto:rrobertson@depausa.org) [mailto:[rrobertson@depausa.org](mailto:rrobertson@depausa.org)]  
**Sent:** Wednesday, March 15, 2017 2:47 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Cc:** Pete Regan <[pregan@depausa.org](mailto:pregan@depausa.org)>  
**Subject:** Event Request Form, April 3 Reception/Dinner

Miss Millan, please see request form attached.  
I will provide all additional event information (location, etc.) as soon as possible.

Please let me know if there is anything else you need at this time. Thank you!  
Regan

Regan Robertson  
DEPA  
Domestic Energy Producers Alliance  
4124 S Rockford Ave. Ste 201  
Tulsa, OK 74105  
Telephone: 918-293-3921  
[rrobertson@depausa.org](mailto:rrobertson@depausa.org)  
[www.depausa.org](http://www.depausa.org)

Event Request Form for  
Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

*To request the Administrator to attend and/or speak at your event, please complete and submit the following form.*

Group:

Domestic Energy Producers Alliance (DEPA)

Name of Event:

DEPA Friendraiser

Date of Event:

Monday, April 3, 2017

Type of Event (banquet, lecture, panel discussion, etc.):

Reception, Dinner

Role of the Administrator:

Esteemed Guest

Approximate time will the Administrator's Remarks Begin (example 9:00 am):

Expected length of the Administrator's remarks:

15 minutes

Will there be Q&A? If so, for how long and who from? Ex: press, attendees:

NO

Event begins (example 9:00 am):

TBA

Event ends (example 9:00 am):

TBA

Event address (please include room name or number if applicable):

TBA, DC

Will there be a hold room for the Administrator? (please include room name and/or number):

TBA

Please list the name and title of the individual who will introduce the Administrator:

Harold Hamm, Chairman and CEO, Continental Resources

Approximate size of the audience. Please also include a brief description of the makeup of the

audience (*attorneys, business owners, veterans, students etc.*): 15 people  
Oil and Gas producers, Trade Association heads

Please indicate your request for the topic of the Administrator's remarks, if applicable:

Please list any special guests, elected officials, or other dignitaries who are invited or are expected to attend:

Please list any other speakers at this event:

Is this event open to the media?:

NO

Please list a point of contact for the day of the event, including a cell phone number and e-mail address for the contact:

If applicable, please list the name(s) and contact information of the person(s) who will greet the Administrator upon arrival, including a cell phone number and e-mail address for each contact:

Please list any special information or directions, such as ongoing construction, specific points of entry, or parking instructions, about the event or location:

Please list below any other relevant information such as agendas, background information or other relevant information about the event. (*Information may also be attached and submitted with this form.*)

Please include a contact number for the event location:

Please indicate whether this event is held weekly, monthly or annually:

Please indicate the attire for this event (*business, formal, casual, etc.*):

business

Please list any agencies, businesses, schools or universities, or other organizations that may be sponsoring or co-sponsoring this event:

DEPA

Please provide the security contact if contracted or head of security for event location:

Message

---

**From:** Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]  
**Sent:** 6/12/2017 4:57:53 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]  
**Subject:** RE: New Documentary Premiering at AFI Docs - About Superfund Site

Correct. I also just received a note from Greg Siedschlag with the Superfund office saying that they have decided not to request any tickets.

---

**From:** Fugh, Justina  
**Sent:** Monday, June 12, 2017 12:52 PM  
**To:** Graham, Amy <graham.amy@epa.gov>  
**Cc:** Kelly, Albert <kelly.albert@epa.gov>  
**Subject:** RE: New Documentary Premiering at AFI Docs - About Superfund Site

Okay, so this is all you know? I'll ask someone on my team to get in touch with Wendy Cohen to understand what the terms are of the free tickets and when the event occurs. Then we'll send out an ethics alert about whether people can accept the ticket or not, and provide advice about whether attending on government time or not. Stay tuned.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Graham, Amy  
**Sent:** Monday, June 12, 2017 11:59 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: New Documentary Premiering at AFI Docs - About Superfund Site

Here is the background on the documentary screening that is taking place this weekend.

---

**From:** Graham, Amy  
**Sent:** Monday, June 5, 2017 5:00 PM  
**To:** Valentine, Julia <Valentine.Julia@epa.gov>  
**Cc:** Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Duteau, Helen <Duteau.Helen@EPA.GOV>; Hull, George <Hull.George@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>  
**Subject:** Re: New Documentary Premiering at AFI Docs - About Superfund Site

Here is the information on the premier:

Hi Amy,

Hope you are well. I'm following up on my note below. We would love to set up a time to chat.

And we would love to hear about any plans the EPA has regarding superfund sites for the next few weeks that coincide with our world premiere.

We are also happy to offer you and your colleagues tickets to the premiere if you would like to join us. Here are the details:

ATOMIC HOMEFRONT  
World Premiere  
Saturday, June 17, 7:00 p.m.

Landmark E Street Theatre  
555 11th Street NW  
Washington, DC 20004

Let us know if you have time for a call tomorrow or early next week.

Thank you!  
Wendy



**wendy cohen / president**

o: 323-522-6693 m: Ex. 6 - Personal Privacy  
e: wendy@picturemotion.com t: @wendynuale

Sent from my iPhone

On Jun 5, 2017, at 1:54 PM, Valentine, Julia <[Valentine.Julia@epa.gov](mailto:Valentine.Julia@epa.gov)> wrote:

Hi Greg,

Adding Amy Graham to address your question.

Julia P. Valentine  
Assoc. Dir./Acting Dir.  
U.S. EPA, Ofc of Media Relations  
202.564.2663 direct  
Ex. 6 - Personal Privacy m/txt

---

**From:** Siedschlag, Gregory  
**Sent:** Monday, June 05, 2017 1:53 PM  
**To:** StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>  
**Cc:** Duteau, Helen <Duteau.Helen@EPA.GOV>  
**Subject:** RE: New Documentary Premiering at AFI Docs - About Superfund Site  
**Importance:** High

Hi Christie and Julia,

I've had several folks ask me recently whether the "Atomic Homefront" screening is on. Could I get a status update?

Many thanks,

**Greg Siedschlag**  
Outreach and Communications Specialist  
Office of Superfund Remediation and Technology Innovation  
U.S. Environmental Protection Agency  
Office: (703) 603-9044  
Follow us on Twitter @EPALand  
<https://www.epa.gov/superfund>

---

**From:** StClair, Christie  
**Sent:** Tuesday, May 16, 2017 9:18 AM  
**To:** Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>  
**Subject:** RE: New Documentary Premiering at AFI Docs - About Superfund Site

Ok. Amy Graham is working on it, and I let her know.

**Christie St. Clair**  
Office of Public Affairs

Environmental Protection Agency  
Washington, DC  
o: 202-564-2880

m: Ex. 6 - Personal Privacy

---

**From:** Siedschlag, Gregory  
**Sent:** Tuesday, May 16, 2017 9:02 AM  
**To:** StClair, Christie <StClair.Christie@epa.gov>  
**Subject:** RE: New Documentary Premiering at AFI Docs - About Superfund Site

We'd be interested in a screening assuming that agency leadership is on board with it. Keep us posted.



**Greg Siedschlag**  
Outreach and Communications Specialist  
Office of Superfund Remediation and Technology Innovation  
U.S. Environmental Protection Agency  
Office: (703) 603-9044  
Follow us on Twitter @EPALand  
<https://www.epa.gov/superfund>

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**From:** StClair, Christie  
**Sent:** Monday, May 15, 2017 9:41 AM  
**To:** Siedschlag, Gregory <[Siedschlag.Gregory@epa.gov](mailto:Siedschlag.Gregory@epa.gov)>  
**Subject:** FW: New Documentary Premiering at AFI Docs - About Superfund Site

Hey Greg,

One of the movies being screened during AFI Docs this year is about a Superfund site.

“Atomic Homefront” is an environmental justice story of two communities in St. Louis who are mobilizing themselves to get answers. One community is adjacent to an out-of-control, underground landfill fire that is moving towards a legacy nuclear waste site, and the other is experiencing high rates of cancer possibly due to ionizing radiation poisoning from the same nuclear waste source buried there since the 1940s.

More info here: <http://realscreen.com/2017/05/12/atomic-homefront-saving-brinton-among-afi-docs-premieres/>

The film company would be happy to do a screening at EPA if you're interested.

Christie

**Christie St. Clair**  
Office of Public Affairs

Environmental Protection Agency  
Washington, DC  
o: 202-564-2880  
m: Ex. 6 - Personal Privacy

Message

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**From:** Kelly, Albert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08576E43795149E5A3F9669726DD044C-KELLY, ALBE]  
**Sent:** 6/12/2017 4:15:16 PM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**Subject:** RE: New Documentary Premiering at AFI Docs - About Superfund Site

Hi Justina,

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Albert Kelly  
Senior Advisor to the Administrator  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
202 306 8830

---

**From:** Fugh, Justina  
**Sent:** Monday, June 12, 2017 11:56 AM  
**To:** Graham, Amy <graham.amy@epa.gov>  
**Cc:** Hull, George <Hull.George@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>  
**Subject:** FW: New Documentary Premiering at AFI Docs - About Superfund Site

Hi Amy,

I've gotten some ethics inquiries about a showing about a movie to which EPA employees are being offered free tickets. As you know, there are always ethics concerns whenever EPA employees are offered anything for free in connection with their EPA positions or from a prohibited source. We also have concerns about use of government time, so if the event is occurring during the business day, we need to assess whether and how employees may attend.

Can you tell me more about this event and who you think has been invited? I have a number of ethics questions to ponder here.

Thanks,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Graham, Amy  
**Sent:** Monday, June 05, 2017 5:00 PM  
**To:** Valentine, Julia <Valentine.Julia@epa.gov>  
**Cc:** Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Duteau, Helen

<Duteau.Helen@EPA.GOV>; Hull, George <Hull.George@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

**Subject:** Re: New Documentary Premiering at AFI Docs - About Superfund Site

Here is the information on the premier:

Hi Amy,

Hope you are well. I'm following up on my note below. We would love to set up a time to chat.

And we would love to hear about any plans the EPA has regarding superfund sites for the next few weeks that coincide with our world premiere.

We are also happy to offer you and your colleagues tickets to the premiere if you would like to join us. Here are the details:

ATOMIC HOMEFRONT  
World Premiere  
Saturday, June 17, 7:00 p.m.

Landmark E Street Theatre  
555 11th Street NW  
Washington, DC 20004

Let us know if you have time for a call tomorrow or early next week.

Thank you!  
Wendy



**wendy cohen / president**

o: 323-522-6693 m: Ex. 6 - Personal Privacy  
e: wendy@picturemotion.com t: @wendynuale

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 7/26/2018 9:12:26 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]  
**Subject:** RE: NERO Luncheon

And for being so gracious!

---

**From:** Keith, Jennie  
**Sent:** Thursday, July 26, 2018 11:42 AM  
**To:** Molina, Michael <molina.michael@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: NERO Luncheon

Thank you, Michael, for closing the loop with OGC/Ethics! Jennie for OGC/Ethics

---

**From:** Molina, Michael  
**Sent:** Thursday, July 26, 2018 11:32 AM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: NERO Luncheon

Thank you again,

I called NERO and explained our position and graciously ☺ declined.

Michael

---

**From:** Keith, Jennie  
**Sent:** Wednesday, July 25, 2018 10:55 PM  
**To:** Molina, Michael <molina.michael@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: NERO Luncheon

Evening Michael and Aaron,

OGC/Ethics recommends declining this speaking request for the Acting Administrator since he has a one-year cooling-off period with the group. If you review page 3 of his recusal statement under the heading, "Obligations under the Impartiality Provisions," the Acting Administrator cannot participate in matters involving NERO for one year from his resignation date.

This request is different than the one that Justina cleared earlier this year. I believe that request was to attend the organization's annual dinner. There, the Acting Administrator paid for his own ticket to the event. His participation was limited to being an attendee only and did not include any visible participation in the event.

Here, he is being asked to deliver a speech about EPA at a regular speaking series. This is impermissible because he is recused for one-year from participating in his official capacity in matters (such as this speaking engagement) involving NERO.

Michael, I recommend that you or the scheduling staff communicate directly with NERO, on behalf of the Acting Administrator, to decline this event. If you have other ideas or questions, please let me know! The Acting Administrator should not respond to this email, as you will do so on his behalf.

Thanks!  
Jennie for OGC/Ethics

---

**From:** Fugh, Justina  
**Sent:** Wednesday, July 25, 2018 12:47 PM  
**To:** Molina, Michael <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Cc:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** RE: NERO Luncheon

Hi Michael,  
Jennie Keith of Team Ethics is going to write back to you about this. Just so you know, though, Mr. Wheeler has a "covered relationship" with NERO since he was formally affiliated with it.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Molina, Michael  
**Sent:** Wednesday, July 25, 2018 12:39 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Fwd: NERO Luncheon

Hi Justina,

**Ex. 5 - Deliberative Process** and wanted your review.

Thank you.

Michael.

Sent from my iPhone

Begin forwarded message:

**From:** "Wheeler, Andrew" <[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)>  
**Date:** July 25, 2018 at 12:11:38 PM EDT  
**To:** "Jackson, Ryan" <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>, "Molina, Michael" <[molina.michael@epa.gov](mailto:molina.michael@epa.gov)>  
**Subject:** Fwd: NERO Luncheon

Begin forwarded message:

**From:** Executive Director <[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)>  
**Date:** July 25, 2018 at 11:05:52 AM EDT  
**To:** "'[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)'" <[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)>  
**Subject:** NERO Luncheon

Hi Andy,

I'm sorry to interrupt. Hopefully you received a message from us last week, asking if you could speak at an upcoming NERO lunch on Wednesday, Sept. 12; Tuesday, Sept. 24; or Tuesday, Oct 2. The Hyatt contacted us again to see if we could firm up the dates we are holding with them. I know you're extremely busy, but thought I would check back quickly to at least be sure you received the message and if you had any feel for whether any of these dates are possible. Thanks very much for your time and consideration.

Jo Ann

*Jo Ann Pawela*

**National Energy Resources Organization**

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 7/25/2018 12:11:04 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: NERO Luncheon Series

Agreed.

---

**From:** Keith, Jennie  
**Sent:** Monday, July 23, 2018 2:19 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: NERO Luncheon Series

Justina,

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Jennie for OGC/Ethics

---

**From:** Fugh, Justina  
**Sent:** Wednesday, July 18, 2018 11:42 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** RE: NERO Luncheon Series

He was affiliated with NERO but in a non fiduciary role.

**Ex. 5 - Deliberative Process**

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**From:** Dickerson, Aaron  
**Sent:** Wednesday, July 18, 2018 6:23 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: NERO Luncheon Series

Hi Jennie/Justina

Jennie - Thanks again for the briefing today as it was very helpful. Below is the lunch series from NERO that Acting Administrator Wheeler would like to speak. He previously received approval from Justina to attend a NERO dinner which he paid for himself, but this is a speaking request. Can you please advise?

Thank you.

---

**From:** Molina, Michael  
**Sent:** Monday, July 16, 2018 3:15 PM  
**To:** Dickerson, Aaron <dickerson.aaron@epa.gov>  
**Subject:** Re: NERO Luncheon Series

This is a yes, if we can get the dates to work. MM

Sent from my iPhone

On Jul 16, 2018, at 2:40 PM, Wheeler, Andrew <[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)> wrote:

Sent from my iPhone

Begin forwarded message:

**From:** Executive Director <[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)>  
**Date:** July 16, 2018 at 12:43:23 PM EDT  
**To:** "'[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)'" <[wheeler.andrew@epa.gov](mailto:wheeler.andrew@epa.gov)>  
**Subject:** NERO Luncheon Series

Hi Andy,

Congratulations on your new role at EPA! I hope all is going well. It should come as no surprise that NERO would love for you speak at one of our lunches. Before sending a formal invite, I thought I might just initially reach out to you personally to see if it was something you would be interested in doing.

We have a few target dates in mind based on Hyatt availability, but certainly will work around your availability if you're able to fit it in. The dates we are targeting are: Wednesday, Sept. 12; Tuesday, Sept. 24; and Tuesday, Oct 2.

When you have a moment, please let us know. Thanks so much!

*Jo Ann Pawela*  
**National Energy Resources Organization (NERO)**



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 6/28/2018 2:18:43 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Louisiana Chemical Association Annual Meeting

Here's the confirmation that the Administrator's officer cancelled that hotel room offer. So no further work for us on that one. Whew.

Can you send me – again – the tracker link?

---

**From:** Davis, Gail  
**Sent:** Thursday, June 28, 2018 10:16 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Louisiana Chemical Association Annual Meeting

FYI

---

**From:** Davis, Gail  
**Sent:** Wednesday, October 25, 2017 2:00 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>  
**Subject:** RE: Louisiana Chemical Association Annual Meeting

Thanks Hayley!

---

**From:** Ford, Hayley  
**Sent:** Wednesday, October 25, 2017 1:57 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>  
**Cc:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** FW: Louisiana Chemical Association Annual Meeting

FYI – I called Lisa below and let her know we will no longer need the Administrator's hotel room for Thursday evening. Wanted to just let you know.

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Lisa Pulizzano [<mailto:Lisa@lca.org>]  
**Sent:** Thursday, October 5, 2017 3:37 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** RE: Louisiana Chemical Association Annual Meeting

Here is Secretary Pruitt's confirmation # 18955766 for Thursday, October 26<sup>th</sup> at the Loews New Orleans Hotel.

**Lisa Pulizzano**

Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825

Phone: 225.376.7670 | Fax: 225.334.0642



---

**From:** Lisa Pulizzano

**Sent:** Thursday, October 05, 2017 2:13 PM

**To:** 'Ford, Hayley' <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

Great -- let me know when you hear back on the title.

I will get his room taken care of and send you his confirmation number.

Thanks again!

**Lisa Pulizzano**

Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825

Phone: 225.376.7670 | Fax: 225.334.0642



---

**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]

**Sent:** Thursday, October 05, 2017 2:12 PM

**To:** Lisa Pulizzano <[Lisa@lca.org](mailto:Lisa@lca.org)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

His formal name is Edward Scott Pruitt. I don't believe we typically have him as a confidential occupant but if you can do that, I think that works too. There will be others, but we can book through our government system.

I have spoken with Sarah from AG Landry's office but not specifically on security. She did reach out earlier and I sent her a message today, so she may be in the process of that. Our advance team and his security team will reach out as the event approaches.

***Hayley Ford***

Deputy White House Liaison

Office of the Administrator

Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

---

**From:** Lisa Pulizzano [<mailto:Lisa@lca.org>]

**Sent:** Thursday, October 5, 2017 2:47 PM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

Great – I will have the room in his name – please let me know his formal name for the reservation and also if I need to have him as a confidential occupant. Will there be others?

Also, have you been in touch with AG Jeff Landry's office for details, security, etc?

**Lisa Pulizzano**

Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825  
Phone: 225.376.7670 | Fax: 225.334.0642



---

**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]

**Sent:** Thursday, October 05, 2017 1:29 PM

**To:** Lisa Pulizzano <[Lisa@lca.org](mailto:Lisa@lca.org)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

Lisa,

I wanted to confirm that our Ethics officials approved us accepting this hotel room, and we appreciate this generous offer. Please let us know what you need from us in setting this up.

Thank you!

***Hayley Ford***

Deputy White House Liaison

Office of the Administrator

Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

---

**From:** Ford, Hayley

**Sent:** Thursday, October 5, 2017 12:34 PM

**To:** 'Lisa Pulizzano' <[Lisa@lca.org](mailto:Lisa@lca.org)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

Lisa,

Can you suggest what your members would like to hear about and potential titles for the speech? I can then bring to our team to confirm.

Thank you for offering a hotel room for the night before. Let me send through our Ethics office to confirm if we are able to accept and get back to you if that's ok.

Thank you!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Lisa Pulizzano [<mailto:Lisa@lca.org>]  
**Sent:** Thursday, October 5, 2017 12:08 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Subject:** RE: Louisiana Chemical Association Annual Meeting

Hayley,

I hope you are doing well!!

I realize we are still a few weeks out, but do you by chance have a title in mind for the Administrator's speech? Also, would you know if the Administrator will need a room for Thursday night? We have some speaker rooms set aside at the Hotel if needed.

Thanks!

**Lisa Pulizzano**  
Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825  
Phone: 225.376.7670 | Fax: 225.334.0642



---

**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]  
**Sent:** Wednesday, September 27, 2017 10:18 AM  
**To:** Lisa Pulizzano <[Lisa@lca.org](mailto:Lisa@lca.org)>  
**Subject:** RE: Louisiana Chemical Association Annual Meeting

Here you go!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Lisa Pulizzano [<mailto:Lisa@lca.org>]  
**Sent:** Wednesday, September 27, 2017 11:15 AM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

Hayley,

Are you able to send a bio & headshot for the administrator?

**Lisa Pulizzano**

Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825  
Phone: 225.376.7670 | Fax: 225.334.0642



---

**From:** Ford, Hayley [<mailto:ford.hayley@epa.gov>]

**Sent:** Friday, September 22, 2017 4:18 PM

**To:** Lisa Pulizzano <[Lisa@lca.org](mailto:Lisa@lca.org)>

**Cc:** Greg Bowser <[GREG@lca.org](mailto:GREG@lca.org)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

This sounds great and we should be able to make this work well. Please consider us confirmed for the keynote.

Our scheduling & advance team will be in touch as the date approaches for logistical questions. Let us know if you have any questions on your end before then!

***Hayley Ford***

Deputy White House Liaison

Office of the Administrator

Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

---

**From:** Lisa Pulizzano [<mailto:Lisa@lca.org>]

**Sent:** Friday, September 22, 2017 11:48 AM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Cc:** Greg Bowser <[GREG@lca.org](mailto:GREG@lca.org)>

**Subject:** RE: Louisiana Chemical Association Annual Meeting

Hayley,

Please find attached the Administrator's speaker request form – please let us know if you have any other questions.

**Lisa Pulizzano**

Executive Director, LCIA and Director, Workforce Development & Education

One American Place, Suite 2040 | Baton Rouge, Louisiana 70825  
Phone: 225.376.7670 | Fax: 225.334.0642



-----Original Message-----

From: Ford, Hayley [mailto:[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)]  
Sent: Friday, September 22, 2017 10:10 AM  
To: Greg Bowser <[GREG@lca.org](mailto:GREG@lca.org)>  
Cc: Lisa Pulizzano <[Lisa@lca.org](mailto:Lisa@lca.org)>  
Subject: RE: Louisiana Chemical Association Annual Meeting

Hi Greg,

It would be most helpful if you could first complete the attached form with all details you have at this time. I will then look at requested times and we can determine what would work best. Our advance and public affairs team then may want to discuss logistical details and/or message/press.

Thanks!

Hayley Ford  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North [ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

-----Original Message-----

From: Greg Bowser [mailto:[GREG@lca.org](mailto:GREG@lca.org)]  
Sent: Friday, September 22, 2017 10:58 AM  
To: 'Landry, Jeffrey' <[LandryJ@ag.louisiana.gov](mailto:LandryJ@ag.louisiana.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
Cc: Lisa Pulizzano <[Lisa@lca.org](mailto:Lisa@lca.org)>  
Subject: RE: Louisiana Chemical Association Annual Meeting

Hayley,

We look forward to having the Administrator address our group in October. I look forward to discussing this event in detail with you. Please let me know when you are available to discuss. Thanks

Gregory M. Bowser  
President  
One American Place, Suite 2040 | Baton Rouge, Louisiana 70825  
Phone: 225.376.7650 | Fax: 225.343.1007

|

-----Original Message-----

From: Landry, Jeffrey [mailto:[LandryJ@ag.louisiana.gov](mailto:LandryJ@ag.louisiana.gov)]  
Sent: Thursday, September 21, 2017 2:09 PM  
To: Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
Cc: Greg Bowser <[GREG@lca.org](mailto:GREG@lca.org)>  
Subject: Re: Louisiana Chemical Association Annual Meeting

Please reach out to Greg Bowser who I have copied to this email.

Thanks

Jeff Landry  
Attorney General  
Sent from my iPhone

> On Sep 21, 2017, at 1:19 PM, Ford, Hayley <ford.hayley@epa.gov> wrote:

>

> Hello Attorney General Landry,

>

> I'm happy to let you know that the Administrator will be available to address this group. He appreciates the invitation and opportunity. Who should I communicate with regarding details and logistics? Specifically, exact timing and agenda for the event so we can build into his schedule?

>

> Thank you and we look forward to it!

>

> Hayley Ford

> Deputy White House Liaison

> Office of the Administrator

> Environmental Protection Agency

> Room: 3309C William Jefferson Clinton North ford.hayley@epa.gov

> Phone: 202-564-2022

> Cell: 202-306-1296

>

> -----Original Message-----

> From: Landry, Jeffrey [mailto:LandryJ@ag.louisiana.gov]

> Sent: Monday, September 18, 2017 2:40 PM

> To: Ford, Hayley <ford.hayley@epa.gov>

> Subject: Re: Louisiana Chemical Association Annual Meeting

>

> Thank you so much. I believe it would be a great opportunity.

>

> Jeff Landry

> Attorney General

> Sent from my iPhone

>

> On Sep 18, 2017, at 12:42 PM, Ford, Hayley <ford.hayley@epa.gov<mailto:ford.hayley@epa.gov>> wrote:

>

> Hello Attorney General Landry,

>

> I work on the Administrator's scheduling team and Sam forwarded along your below invitation to Louisiana. We appreciate the opportunity. I wanted to let you know that we are reviewing the October schedule and will be in touch with you shortly regarding this request.

>

> Please let me know if you need anything in the meantime. Thank you!

>

> Hayley Ford

> Deputy White House Liaison

> Office of the Administrator

> Environmental Protection Agency

> Room: 3309C William Jefferson Clinton North

> ford.hayley@epa.gov<mailto:ford.hayley@epa.gov>

> Phone: 202-564-2022  
 > Cell: 202-306-1296  
 >  
 > Begin forwarded message:  
 > From: "Landry, Jeffrey"  
 > <LandryJ@ag.louisiana.gov<mailto:LandryJ@ag.louisiana.gov>>  
 > Date: September 15, 2017 at 1:59:08 PM EDT  
 > To: Samantha Dravis  
 > <dravis.samantha@epa.gov<mailto:dravis.samantha@epa.gov>>  
 > Cc: "Mule, Sarah"  
 > <MuleS@ag.louisiana.gov<mailto:MuleS@ag.louisiana.gov>>  
 > Subject: Louisiana Chemical Association Annual Meeting Sam  
 >  
 > Just following up on a conversation we had a month or so ago. The Louisiana Chemical Association is having their annual meeting Oct 26&27 in NOLA at the Loew's hotel.  
 >  
 > This is a meeting of the Managers that are responsible for operation the chemical facilities in Louisiana. They would like Scott to address the group either day.  
 > Can you let me know if he is still available?  
 >  
 > Jeff Landry  
 > Attorney General  
 > Sent from my iPhone  
 > The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. To reply to our e-mail administrator directly, please send an e-mail to [postmaster@ag.state.la.us](mailto:postmaster@ag.state.la.us)<mailto:postmaster@ag.state.la.us>.  
 >  
 > \_\_\_\_\_  
 > The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.  
 > The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. To reply to our e-mail administrator directly, please send an e-mail to [postmaster@ag.state.la.us](mailto:postmaster@ag.state.la.us).  
 >  
 > The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.  
 The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. To reply to our e-mail administrator directly, please send an e-mail to [postmaster@ag.state.la.us](mailto:postmaster@ag.state.la.us).



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 6/20/2018 9:22:04 PM  
**To:** Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: NERO Annual Awards Dinner

Yes. You may attend and accept the free ticket.

---

**From:** Lyons, Troy  
**Sent:** Wednesday, June 20, 2018 5:20 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Re: NERO Annual Awards Dinner

Thank you!

To clarify, I can attend and do not need to purchase a ticket?

Sent from my iPhone

On Jun 20, 2018, at 5:13 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi Troy,  
Did you ask one of us to look into this for you? I didn't see any incoming message from you. But, as it happens, I did answer this question for Andrew Wheeler. Is the attached invitation the same one that you received (to be their guest)? If so, then here is the advice for you:

OGC/Ethics understands that you have received an invitation from the National Energy Resources Organization (NERO). You have been invited to attend as their guest at their annual awards dinner to be held this year on June 21, 2018, at the Capitol Hill Hyatt Regency Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump Ethics Pledge. NERO is not a federally registered lobbyist, so this invitation does not trigger any concerns under the lobbying gift ban.

The gift offered is an evening reception and dinner sponsored by NERO. The organization is offering you a complimentary ticket, so we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. OGC/Ethics concludes that you may attend.

In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's

interest. We do, in fact, conclude that there is an Agency interest in your attendance. If you do attend, then you will need not report this gift on your next financial disclosure report because we are evaluating your gift at the government rate (\$75), which is BELOW the reporting threshold (currently \$390). We note that there is a marked price differential between the government rate and the member/non-member rates (members pay \$450, while non-members pay \$900). Because you are a government employee, you qualify for the government rate, so that is the price point we are using to evaluate your ticket.

Please note that this event is a fundraiser. Therefore, NERO cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. You should be placed by NERO wherever they wish to seat you and cannot be seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Lyons, Troy  
**Sent:** Wednesday, June 20, 2018 4:50 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Fwd: NERO Annual Awards Dinner

Justina-wanted to circle back to see if this is an approved event I can attend as a guest? If not, I will purchase a ticket.

Many thanks,

Troy

Sent from my iPhone

Begin forwarded message:

**From:** Executive Director <[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)>  
**Date:** June 20, 2018 at 4:23:20 PM EDT  
**To:** "'Lyons, Troy'" <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>  
**Subject:** RE: NERO Annual Awards Dinner

Hi Troy,

I apologize for the delay. Have been out of the office most of the day. Sure, you can purchase a ticket. The government rate is \$75. Do you want to hold off and see if they come back with an answer? We can get you seated and see what happens?

Jo Ann

---

**From:** Lyons, Troy [<mailto:lyons.troy@epa.gov>]  
**Sent:** Tuesday, June 19, 2018 8:00 PM  
**To:** Executive Director  
**Subject:** Re: NERO Annual Awards Dinner

Hey, Jo Ann!

I have not heard back from ethics officials. Can I purchase a ticket?

Sent from my iPhone

On Jun 19, 2018, at 7:36 PM, Executive Director  
<[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)> wrote:

Hey Troy!

Long time, no see! Wondering if by any chance you might be coming to the dinner Thursday evening. Would love to have you if you can make it. We have a few others from EPA coming but I didn't see your name. Let us know when you have a minute. Thanks!

*Jo Ann Pawela*  
**National Energy Resources Organization (NERO)**

<image003.jpg>

<06.21.18 NERO Annual Dinner Invitation.pdf>

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 6/20/2018 9:13:03 PM  
**To:** Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: NERO Annual Awards Dinner  
**Attachments:** 06.21.18 NERO Annual Dinner Invitation.pdf

Hi Troy,

Did you ask one of us to look into this for you? I didn't see any incoming message from you. But, as it happens, I did answer this question for Andrew Wheeler. Is the attached invitation the same one that you received (to be their guest)? If so, then here is the advice for you:

OGC/Ethics understands that you have received an invitation from the National Energy Resources Organization (NERO). You have been invited to attend as their guest at their annual awards dinner to be held this year on June 21, 2018, at the Capitol Hill Hyatt Regency Hotel. I am writing to confirm that, if you decide to attend this event, you may do so consistent with the Standards of Ethical Conduct for Employees of the Executive Branch and the Trump Ethics Pledge. NERO is not a federally registered lobbyist, so this invitation does not trigger any concerns under the lobbying gift ban.

The gift offered is an evening reception and dinner sponsored by NERO. The organization is offering you a complimentary ticket, so we must analyze it according the gift rules. Generally, federal employees are prohibited from accepting gifts given because of their official position or given by a prohibited source (typically, a person either regulated by or seeking to do business with the EPA). In this instance, the gift of free attendance is offered to you because of your official position. OGC/Ethics concludes that you may attend.

In analyzing the situation, we determined that the WAG exception is available because the reception will be widely attended, there will be a diversity of views represented, and there is an opportunity for the exchange of ideas. In order to utilize this gift exception, OGC/Ethics must also make a written determination that we believe your attendance is in the Agency's interest. We do, in fact, conclude that there is an Agency interest in your attendance. If you do attend, then you will need not report this gift on your next financial disclosure report because we are evaluating your gift at the government rate (\$75), which is BELOW the reporting threshold (currently \$390). We note that there is a marked price differential between the government rate and the member/non-member rates (members pay \$450, while non-members pay \$900). Because you are a government employee, you qualify for the government rate, so that is the price point we are using to evaluate your ticket.

Please note that this event is a fundraiser. Therefore, NERO cannot use or reference your official position or title or any authority associated with your public office in furtherance of the fundraising effort. You may not actively or visibly participate in the promotion, production, or presentation of the event, which means that you cannot sit at a head table nor stand in a receiving line. You should be placed by NERO wherever they wish to seat you and cannot be seated at the request of any sponsoring entity that has bought a table.

Please let me know if you have any questions.

Regards,  
justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Lyons, Troy  
**Sent:** Wednesday, June 20, 2018 4:50 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Fwd: NERO Annual Awards Dinner

Justina-waned to circle back to see if this is an approved event I can attend as a guest? If not, I will purchase a ticket.

Many thanks,

Troy

Sent from my iPhone

Begin forwarded message:

**From:** Executive Director <[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)>  
**Date:** June 20, 2018 at 4:23:20 PM EDT  
**To:** "Lyons, Troy" <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>  
**Subject:** RE: NERO Annual Awards Dinner

Hi Troy,

I apologize for the delay. Have been out of the office most of the day. Sure, you can purchase a ticket. The government rate is \$75. Do you want to hold off and see if they come back with an answer? We can get you seated and see what happens?

Jo Ann

---

**From:** Lyons, Troy [<mailto:lyons.troy@epa.gov>]  
**Sent:** Tuesday, June 19, 2018 8:00 PM  
**To:** Executive Director  
**Subject:** Re: NERO Annual Awards Dinner

Hey, Jo Ann!

I have not heard back from ethics officials. Can I purchase a ticket?

Sent from my iPhone

On Jun 19, 2018, at 7:36 PM, Executive Director <[ExecutiveDirector@nationalenergyresources.com](mailto:ExecutiveDirector@nationalenergyresources.com)> wrote:

Hey Troy!

Long time, no see! Wondering if by any chance you might be coming to the dinner Thursday evening. Would love to have you if you can make it. We have a few others from EPA coming but I didn't see your name. Let us know when you have a minute. Thanks!

*Jo Ann Pawela*  
**National Energy Resources Organization (NERO)**

<image003.jpg>

NATIONAL ENERGY RESOURCES ORGANIZATION

ANNUAL AWARDS DINNER  
**NERO**

IS PLEASED TO PRESENT THE  
**2018**

*Distinguished Service Awards to*  
Majority Whip, Rep. **STEVE SCALISE** and U.S. Senator **HEIDI HEITKAMP**

*American Energy*

★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★

|          |                            |
|----------|----------------------------|
| THURSDAY | COCKTAILS 5:30             |
| JUNE     | DINNER 7:00                |
| 21       | CAPITOL HILL HYATT REGENCY |
| 2018     | 400 NEW JERSEY AVE, NW     |

★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★

**FOR ADDITIONAL INFORMATION:**

ExecutiveDirector@NationalEnergyResources.com  
or (703) 548-1764

THIS INVITATION IS NOT TRANSFERABLE

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 6/5/2018 5:36:43 PM  
**To:** Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**Subject:** RE: Blackhawk Helicopter trip -- August 2017

Hi Millan,

Thanks. So the other two seats were occupied by the Governor and one of his staff?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Hupp, Millan  
**Sent:** Tuesday, June 05, 2018 11:15 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Davis, Gail <Davis.Gail@epa.gov>  
**Subject:** RE: Blackhawk Helicopter trip -- August 2017

Justina,

The travelers were Administrator Pruitt, Lincoln Ferguson, Nino Perrotta, Samantha Dravis, and Elizabeth Bennett. Additionally, EPA employees were on the Blackhawk only one way from Indianapolis, IN to Booneville, IN.

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Tuesday, June 5, 2018 10:30 AM  
**To:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Cc:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** RE: Blackhawk Helicopter trip -- August 2017

Hi Gail,

Way back in July 2017, Millan asked about a proposed trip with the Governor of Indiana (and possibly other EPA employees) in a Black Hawk helicopter operated by the Army National Guard to the Liberty coal mine, which is located in southern Indiana, more than 150 miles away. By car, this trip would take nearly 3 hours each way. I indicated to Millan (with a cc to you) that a trip on an Army National Guard helicopter would be federally funded so would not need an ethics travel form. Turns out that advice was incorrect. OGC/Ethics has since learned that the Air and Army National Guard are both a militia force (under the authority of governors) and a federal military reserve force. They operate under the command of the Department of Defense for



federal issues (such as invasion, war, or to enforce federal law), but in times of peace, they operate under state control. Their equipment and uniforms are paid by the federal government, but the use of a Blackhawk helicopter for transporting the Governor and his guests would likely be a state expense.

I need now execute an ethics travel form for the Administrator and any other EPA employees who accompanied him on the helicopter. But who were they?

I think I can complete the other parts of the form. Based on press reports, the cost of the helicopter was \$3,664 per flight hour, and the trip was 3.9 hours of total flight time, for a total of \$14,290. The helicopter seats 7, but I need to know who were the EPA employees on the helicopter and their names. Can you help me find that out?

Thanks,  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Fugh, Justina  
**Sent:** Monday, July 31, 2017 4:53 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Cc:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** RE: Blackhawk Helicopter

Yes, we can accept that. If it's indeed the Army National Guard, then that's federal so Gail will not have to do an ethics travel acceptance form. We can accept federal rides.

---

**From:** Hupp, Millan  
**Sent:** Monday, July 31, 2017 3:49 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Blackhawk Helicopter

Justina,

The Governor of Indiana has invited the Administrator and a few members of his team to travel from one location to another via Blackhawk helicopter. It would be operated by the National Guard while they are in Indiana on Wednesday and the Governor would be on board.

Driving is not an option as the two locations are three hours apart and would prevent them from conducting all their meetings and site visits.

Please let me know if we may do this.

Thank you,

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator

Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 5/29/2018 8:52:10 PM  
**To:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]; Kunding, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kunding,]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Per my conversation with Kelly I have just filled out another Ethics form for the Reception for \$16.00. it was also routed to him.  
**Attachments:** travel request - 5-31-18.pdf; travel request 2 - 5-31-18.pdf

Hi there,

We don't think that the Administrator will be able to sign the forms digitally in Lotus Notes, so here are the pdf versions instead. Can someone please print these out and give them to him to initial, then pdf back to us? We will attach his initialed versions to the final ones we approve.

Thanks,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Davis, Gail  
**Sent:** Tuesday, May 29, 2018 4:26 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Per my conversation with Kelly I have just filled out another Ethics form for the Reception for \$16.00. it was also routed to him.

Gail Davis  
Travel Coordinator  
Immediate Office of the Administrator  
(w) 202 564 1444  
© Ex. 6 - Personal Privacy  
Rm. 3312C WJC Building

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 5/15/2018 8:01:40 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**CC:** Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]; Ross, Margaret [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38caf91847dd4f95810c1f96d918871c-Ross, Margaret]  
**Subject:** Black Hawk Military Helicopter -- deliberative discussion  
**Attachments:** FW\_ Blackhawk Helicopter.pdf

Hi there,

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Justina

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<http://www.journalgazette.net/blog/political-notebook/20180513/holcombs-office-defends-travel-with-epa-chief-pruitt>

# Holcomb's office defends travel with EPA chief Pruitt

NIKI KELLY and BRIAN FRANCISCO

**Sunday, May 13, 2018 1:00 am**

Gov. Eric Holcomb got dragged into the ongoing investigation into the lavish travel habits of U.S. Environmental Protection Agency chief Scott Pruitt.

The New Republic reported last week that in August the Indiana National Guard flew Pruitt, Holcomb and several aides in a Black Hawk helicopter from Indianapolis to the Liberty coal mine in southern Indiana.

Holcomb's office didn't respond to requests for details from the New Republic.

But Holcomb spokeswoman Stephanie Wilson told The Journal Gazette several meetings in different parts of the state were planned for Aug. 2 with Pruitt. Using the Black Hawk, she said, “was the most efficient way to transport the nine total EPA and state officials within the confines of the day's schedule.”

The cost for using the Black Hawk is \$3,664 per flight hour, and the trip amounted to about 3.9 hours of total flight time. That means a cost of \$14,290 to the state.

Indiana state agencies own several aircraft but none that can hold nine people. Two small planes carry four, and a helicopter seats seven.

Pruitt's Indiana trip was one of several he took last summer, although the trips were kept quiet. The New Republic said this lack of transparency led reporters to uncover expensive first-class flights and pricey hotel stays.

## Area voting matches state

Allen County and northeast Indiana pretty much followed statewide voting patterns in the Republican primary election for a U.S. Senate seat.

Jasper businessman Mike Braun won the GOP nomination Tuesday with 41.2 percent of the Indiana vote, according to the secretary of state's office. Braun received 41.1 percent of the Allen County vote and 40.5 percent across nine counties in northeast Indiana.

U.S. Rep. Todd Rokita of Brownsburg finished second in the three-way race with 30 percent of the vote. He was more popular in northeast Indiana, receiving 34.5 percent of Republican ballots cast, including 35.7 percent in Allen County.

U.S. Rep. Luke Messer of Greensburg received 28.8 percent statewide, 25 percent in northeast Indiana and 23.2 percent in Allen County.

Braun carried 60 counties, including all of northeast Indiana. Messer won 21 counties, most of them in his east-central and southeast 6th Congressional District. Rokita won 11 counties, most of them in his west-central and northwest 4th District.

Braun received 84 percent of the vote in his home DuBois County, and Messer got 65.8 percent in his home Decatur County. But Braun received 11 more votes than Rokita in Rokita's home Hendricks County.

Braun will challenge Democratic Sen. Joe Donnelly in the Nov. 6 general election. Donnelly was unopposed in his party's primary election.

### **Trump antagonist to speak locally**

Retired labor leader Chuck Jones will speak Friday at the Allen County Democratic Party's "Pasta & Politics" program.

Jones is former president of United Steelworkers Local 1999, which represented workers at the Carrier plant in Indianapolis. He has accused President Donald Trump of betraying workers by failing to keep his 2016 pledge to protect jobs at the plant from being sent to Mexico by parent company United Technologies Corp.

Friday's event will be at Bergstaff Place, 2020 E. Washington Blvd. Cocktails will be at 6 p.m., with dinner at 7 p.m. Tickets are \$35 each or \$250 for a table of eight, with sponsorships available. For information, call 478-8239 or go to [www.allencountydemocrats.org](http://www.allencountydemocrats.org).

### **Another Stutzman to Statehouse?**

The wife of former northeast Indiana congressman and state lawmaker Marlin Stutzman won the Republican nomination for an Indiana House seat in Tuesday's primary election.

Christy Stutzman received 56 percent of the vote to defeat Kevin Gipson in a race between Middlebury residents in House District 49. Rep. Wes Culver, R-Goshen, did not seek re-election in the Elkhart County district he has represented since 2008. There were no candidates for the Democratic nomination.

### **School lauded**

Fort Wayne City Councilman Glynn Hines on Tuesday congratulated East Allen University on receiving a four-star rating for academic performance.

The school had a 100 percent graduation rate in 2017, and 95 percent of the students passed ISTEP testing, Hines said during Tuesday's City Council meeting. Additionally, Hines said 16 to 18 of this year's seniors will receive an associate degree from Vincennes University and three who graduated two years ago are now graduating with degrees from Indiana Tech.

One of those students was hired by East Allen County Schools in the Information Technology Department.

“It goes to show that East Allen University is working, and it's the most diverse audience I've spoken to in a long time of students,” Hines said. “You look out there and you see the world. I mean, brown, black, white, red, orange, everything. It was just exciting to be a part of that.”

*Dave Gong of The Journal Gazette contributed to this column.*

*To reach Political Notebook by email, contact Brian Francisco at [bfrancisco@jg.net](mailto:bfrancisco@jg.net) or Niki Kelly at [nkelly@jg.net](mailto:nkelly@jg.net). An expanded Political Notebook can be found as a daily blog at [www.journalgazette.net/politicalnotebook](http://www.journalgazette.net/politicalnotebook).*

**From:** [Minoli, Kevin](#)  
**To:** [Fugh, Justina](#)  
**Subject:** FW: Blackhawk Helicopter  
**Date:** Friday, May 11, 2018 4:46:26 PM

---

**Kevin S. Minoli**

Principal Deputy General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8064

---

**From:** Hupp, Millan  
**Sent:** Friday, May 11, 2018 4:15 PM  
**To:** Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>  
**Subject:** FW: Blackhawk Helicopter

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Hupp, Millan  
**Sent:** Thursday, May 10, 2018 12:14 PM  
**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** FW: Blackhawk Helicopter

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

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**From:** Wooden-Aguilar, Helena  
**Sent:** Wednesday, May 9, 2018 12:43 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>  
**Subject:** RE: Blackhawk Helicopter

Milian- I have checked with our finance folks (Lance McCluney) in OAES and they have no records of payment. Helena

---



**From:** Hupp, Millan

**Sent:** Wednesday, May 09, 2018 10:26 AM

**To:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>; Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Cc:** Wooden-Aguilar, Helena <[Wooden-Aguilar.Helena@epa.gov](mailto:Wooden-Aguilar.Helena@epa.gov)>

**Subject:** RE: Blackhawk Helicopter

I don't recall having to pay for the helicopter but Kevin was handling matters such as this at the time. I've copied Helena as she may be able to track down that information.

Helena – the date was either August 2<sup>nd</sup> or 3<sup>rd</sup> of 2017. The Administrator flew with Governor Holcomb via Blackhawk helicopter. The flight was about 1 hour. I don't recall us paying for the trip. I'm not sure that we would have been required to do so as it was a federal ride.

Millan Hupp

Director of Scheduling and Advance

Office of the Administrator

Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

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**From:** Davis, Gail

**Sent:** Wednesday, May 9, 2018 10:21 AM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Blackhawk Helicopter

Hi Jahan, I will defer to Millan on this question. I don't know anything about a helicopter.

---

**From:** Wilcox, Jahan

**Sent:** Wednesday, May 09, 2018 10:19 AM

**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>; Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>

**Subject:** FW: Blackhawk Helicopter

Did we have to pay for the helicopter ride we took in Indiana?

---

**From:** Emily Holden [<mailto:eholden@politico.com>]

**Sent:** Wednesday, May 9, 2018 9:59 AM

**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>

**Subject:** Re: Blackhawk Helicopter

Thanks. Did you have to pay for it?

Emily Holden

Reporter, energy/climate

**POLITICO**

[eholden@politico.com](mailto:eholden@politico.com)

Cell: Ex. 6 - Personal Privacy

[@emilyhholden](#)

On May 9, 2018, at 9:06 AM, Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)> wrote:

Please do not screen shot this but you can report on the email chain below regarding the helicopter ride.

---

**From:** Hupp, Millan  
**Sent:** Wednesday, May 9, 2018 8:13 AM  
**To:** Wilcox, Jahan <[wilcox.jahan@epa.gov](mailto:wilcox.jahan@epa.gov)>; Bennett, Tate <[Bennett.Tate@epa.gov](mailto:Bennett.Tate@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>; Ferguson, Lincoln <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>  
**Cc:** McMurray, Forrest <[mcmurray.forrest@epa.gov](mailto:mcmurray.forrest@epa.gov)>  
**Subject:** FW: Blackhawk Helicopter

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Monday, July 31, 2017 4:53 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Cc:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** RE: Blackhawk Helicopter

Yes, we can accept that. If it's indeed the Army National Guard, then that's federal so Gail will not have to do an ethics travel acceptance form. We can accept federal rides.

---

**From:** Hupp, Millan  
**Sent:** Monday, July 31, 2017 3:49 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Blackhawk Helicopter

Justina,

The Governor of Indiana has invited the Administrator and a few members of his team to travel from one location to another via Blackhawk helicopter. It would be operated by the National Guard while they are in Indiana on Wednesday and the Governor would be on board.

Driving is not an option as the two locations are three hours apart and would prevent them from conducting all their meetings and site visits.

Please let me know if we may do this.

Thank you,

Millan Hupp  
Director of Scheduling and Advance  
Office of the Administrator  
Cell: 202.380.7561 Email: [hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/9/2018 3:04:13 AM  
**To:** DeLuca, Isabel [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b021c30cbee4637a7c7ca683e5e044a-IDELUCA]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: EFBC speaker Mandy Gunasekara  
**Attachments:** Event Form OAR AA for Mandy.pdf

Hi,

We were a little busy last week, so sorry for the delay. Jennie Keith will look at this issue for you. Jennie, to remind, Mandy is AD and Alex is too, I think.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** DeLuca, Isabel  
**Sent:** Wednesday, March 28, 2018 11:59 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: EFBC speaker Mandy Gunasekara

Hi Justina,

Mandy Gunasekara in OAR IO has been asked to speak at the Eastern Fuel Buyers Conference on May 9-11 at Disney's Yacht and Beach Club Resort in Florida. Attached is a form that contains a description of the event. Alex Dominguez is also planning to attend the conference. The conference organizers have offered to waive the registration fee for Mandy and for Alex, and to pay for Mandy's hotel for two nights. Is it ok for Mandy and Alex to receive free registration? Likewise, is Mandy allowed to accept their offer to pay for her room?

Thanks, in advance, for your help,  
Isabel

Isabel DeLuca  
Office of Air and Radiation, US EPA  
(202) 343-9247

---

**From:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com) [mailto:[Romy@globalrcbi.com](mailto:Romy@globalrcbi.com)]  
**Sent:** Tuesday, March 27, 2018 8:14 PM  
**To:** DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>  
**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** RE: EFBC speaker Mandy Gunasekara

Hello Isabel,

Please find attached the completed form. Is there anything else you need that I may assist with?

Thank you.

Kind regards,

*Romy*

GLOBAL RCBI ~ EFBC Conference Coordinators

1-407-438-9600

[info@EastFuelConf.com](mailto:info@EastFuelConf.com)

Website: <http://www.globalrcbi.com> / [www.eastfuelconf.com](http://www.eastfuelconf.com)

Conference dates: 9 - 11 May 2018 at Disney Yacht & Beach Club Resort!

We thank our sponsors: <https://eastfuelconf.com/sponsors/>



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**From:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com) [<mailto:Romy@GlobalRCBI.com>]

**Sent:** Thursday, March 15, 2018 2:53 PM

**To:** 'DeLuca, Isabel'

**Cc:** 'Atkinson, Emily'

**Subject:** RE: EFBC speaker Mandy Gunasekara

Hello Isabel,

Wanted to let you know that I am working on it. Will be back to you soon.

Kind regards,

Romy

---

**From:** DeLuca, Isabel [<mailto:DeLuca.Isabel@epa.gov>]

**Sent:** Wednesday, March 14, 2018 10:35 AM

**To:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com)

**Cc:** Atkinson, Emily

**Subject:** FW: EFBC speaker Mandy Gunasekara

Hi Romy,

Thank you for your recent invitation to Mandy Gunasekara to speak at the Eastern Fuel Buyers Conference in May in Orlando, Florida. When you have a chance, could you please fill out and return the attached speaker request form? This will help us as we make plans for this event.

Many thanks,

Isabel DeLuca

Deputy Director of Communications

Office of Air and Radiation, US EPA

(202) 343-9247

---

**From:** Gunasekara, Mandy

**Sent:** Tuesday, March 13, 2018 9:33 PM

**To:** [romy@globalrcbi.com](mailto:romy@globalrcbi.com)

**Cc:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>; Dominguez, Alexander <[dominguez.alexander@epa.gov](mailto:dominguez.alexander@epa.gov)>

**Subject:** Re: EFBC speaker Mandy Gunasekara

Hey Romy,

Thank you for the confirmation email. I'm looping in Emily Atkinson who helps with the travel logistics and Alex Dominguez who I am hoping to bring as a guest. We will follow up tomorrow to touch base on logistics and provide updated info.

Best,  
Mandy

Sent from my iPhone

On Mar 13, 2018, at 7:17 PM, [romy@globalrcbi.com](mailto:romy@globalrcbi.com) <[Romy@GlobalRCBI.com](mailto:Romy@GlobalRCBI.com)> wrote:

Hello Mandy,

We are delighted that you will be speaking at the Eastern Fuel Buyers Conference in May in Orlando, Florida!

Your speaking spot is either Thu 10 or Fri 11 May in the morning. We will confirm the exact time in the next few weeks.

I'll be taking care of your complimentary conference registration for you and a guest as well as your room reservation. The conference will pay for 2 nights hotel stay. What will be your arrival and departure dates please? And will you be bringing a guest?

Also, for your conference registration, are your coordinates still the same?:

Mandy Gunasekara  
Senior Policy Advisor  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW Suite 1101-A  
Washington, DC 20460  
Tel 202-564-2314  
Mobile 202-306-8538

I have attached the bio and photo we have on file for you. Please let me know if there are any updates or changes, thanks!!

Here is a list of the current attendees: <https://eastfuelconf.com/attendees/>

Looking forward to hearing from you. Please don't hesitate to contact me should you have any questions.

Kind regards,

*Romy*  
GLOBAL RCBI ~ EFBC Conference Coordinators  
1-407-438-9600

[info@EastFuelConf.com](mailto:info@EastFuelConf.com)

Website: <http://www.globalrcbi.com> / [www.eastfuelconf.com](http://www.eastfuelconf.com)

Conference dates: 9 - 11 May 2018 at Disney Yacht & Beach Club Resort!

We thank our sponsors: <https://eastfuelconf.com/sponsors/>

<image001.jpg>



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)

<Bio Gunasekara, Mandy, EPA.docx>

<photo Gunasekara, Mandy, EPA.jpg>

## Event Information Form

This form has been designed to assist in planning participation in events and activities.  
This is not a confirmation of attendance.

### Basic Background

|                                                                                                                                                   |                                                                                                            |                          |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|--------------------------|--|
| Name of Event                                                                                                                                     | Eastern Fuel Buyers Conference                                                                             |                          |  |
| Sponsoring Organization                                                                                                                           | Eastern Fuel Buyers Conference                                                                             |                          |  |
| Date of Event                                                                                                                                     | 9 – 11 May 2018                                                                                            |                          |  |
| Time of Event                                                                                                                                     | TBA (morning)                                                                                              |                          |  |
| Expected time of remarks or participation by EPA official                                                                                         | Either the morning of Thursday May 10 or Friday May 11. Time and date will be advised in the next 2 weeks. |                          |  |
| Location (please include city/town and street address)                                                                                            | Disney's Yacht & Beach Club Resort<br>1750 EPCOT Resorts Boulevard<br>Lake Buena Vista, FL 32830           |                          |  |
| Directions to the event (if appropriate, please also include relevant information about parking, the specific building, and best entrance to use) |                                                                                                            |                          |  |
| Where to meet POC                                                                                                                                 | At the hotel, call me                                                                                      | Ex. 6 - Personal Privacy |  |

### Event Description and Role of the EPA official

|                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Brief description or outline of the event                                                                                                                                                         | The Eastern Fuel Buyers Conference is North America's premier coal industry event. The conference is presented by industry leaders who gather to provide industry professionals with topics affecting the coal industry. The conference presentations include current topics such as: coal supply, coal transportation, market updates, regulatory outlooks, environmental issues impacting coal and coal contracting elements. Leaders from many industries, such as utility companies, fuel buyers, producers, transportation companies and others attend to learn about the new developments and share their insights. |
| Brochure, invitation and/or other event material(s)                                                                                                                                               | Will be available end April                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Agenda and order of speakers and biography/information of other speakers                                                                                                                          | <a href="https://eastfuelconf.com/agenda/">https://eastfuelconf.com/agenda/</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Name of person introducing EPA official                                                                                                                                                           | TBA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Basic information about the role of the EPA official at the event. (For example, will they serve as a keynote speaker? Participate on a panel? Take part in a press conference? Tour a facility?) | Be a speaker, we'll probably do a Town Hall set-up.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| If the EPA official is a featured speaker, which topic(s) should they address and how long?                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| What rules would the audience like to hear about?                                                                                                                                                 | Anything related to coal, CCP, Byproducts, Stream rule, etc. Could get asked about what regulations are ahead for natural gas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Will there be time for Q&A? If so, who will be                                                                                                                                                    | Yes, Jim Thompson, I H S will be the moderator                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



|                                                                                                                                              |                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| moderating?                                                                                                                                  |                                                                                                                                                                        |
| Do you have a sense of the types of questions that may be asked?                                                                             | Potential for new regulations, changes to existing regulations.                                                                                                        |
| Recommendations on the use of visuals/PowerPoint. Should the EPA official plan on using a PowerPoint Presentation?                           | Yes, that would be great.                                                                                                                                              |
| What is the physical layout of the room (e.g. size, and format of the interaction; podium, seated in armchair dialogue, or at a table, etc.) | The meeting room will have a stage, podium, podium microphone, lapel mic, confidence monitor; The general session will be set up classroom style for about 300+ people |

#### About the Audience

|                                                                                                                                                                       |                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Please tell us about the make-up of the audience for the event:                                                                                                       | 1/3 Utility companies<br>1/3 transportation and mining<br>1/3 brokers, analysts, media, consultants |
| Expected number in attendance at the event                                                                                                                            | 300-400                                                                                             |
| Will it be largely members of your organization?                                                                                                                      | n/a                                                                                                 |
| Will others be in attendance? If so, who will be at the event? (General public, Businesspeople, Educators, Families, Students – what grade level, Children – how old) | n/a                                                                                                 |
| Others? (Please describe)                                                                                                                                             | n/a                                                                                                 |
| Is the event open to press?                                                                                                                                           | Anyone can attend as long as they pay the conference registration.                                  |

#### Contact Information

|                                     |                                                              |
|-------------------------------------|--------------------------------------------------------------|
| Your name:                          | Romy Baesens                                                 |
| Telephone Number:                   | Ex. 6 - Personal Privacy                                     |
| Mailing Address:                    | Montgomery, TX                                               |
| E-Mail Address:                     | <a href="mailto:romy@globalrcbi.com">romy@globalrcbi.com</a> |
| Cell Phone Number:                  | Ex. 6 - Personal Privacy                                     |
| Fax Number:                         | n/a                                                          |
| Best way to reach you at the event? | On my mobile                                                 |

#### EPA Contact Person

Emily Atkinson, Administrative Speech Coordinator: 202-564-1850

John Millett, Communications Director: 202-564-2903

Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/23/2018 3:59:26 AM  
**To:** Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**Subject:** RE: Ethics Check: EEI on 3/8

Hi,

## Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Griffo, Shannon  
**Sent:** Thursday, February 22, 2018 12:25 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Ethics Check: EEI on 3/8

## Ex. 5 - Deliberative Process

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**From:** Griffo, Shannon  
**Sent:** Thursday, February 22, 2018 12:24 PM  
**To:** Kitamura, Louise <Kitamura.Louise@epa.gov>  
**Subject:** RE: Ethics Check: EEI on 3/8

Hi Louise,

As long as the Administration agrees it is in the Agency's best interest for David to share OW's "strategic and regulatory priorities," then I don't see any ethical issues with him speaking at this event. However, he needs to be cautious

because the Edison Electric Institute is a federally registered lobbyist. Since he signed the Trump ethics pledge, he cannot accept any gifts from a federally registered lobbyist. See [OGE's Legal Advisory DO-09-007](#), the Lobbyist Gift Ban Guidance for pledge signers.

And since they are asking him to speak specifically about WOTUS, it reminded me that we haven't seen a signed copy of his recusal statement. Has David signed it yet? If so, please send Justina and I a copy.

Thanks,  
Shannon

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

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**From:** Kitamura, Louise  
**Sent:** Thursday, February 22, 2018 8:37 AM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** FW: Ethics Check: EEI on 3/8

Hi Shannon,

Can you help me? I'm still learning on what could potentially be ethics concerns of staff attending/speaking at conferences—and want to be extra careful. Do you see any problems with the OW AA speaking at the Edison Electric Institute in front of 30-50 energy company VPs?

Thanks in advance,

*Louise Kitamura*  
*Office of Water*  
*(o) 202-564-1731*  
*(c)* Ex. 6 - Personal Privacy

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**From:** Mayer, Lauren  
**Sent:** Wednesday, February 21, 2018 3:36 PM  
**To:** Kitamura, Louise <[Kitamura.Louise@epa.gov](mailto:Kitamura.Louise@epa.gov)>  
**Subject:** Ethics Check: EEI on 3/8

Hi Louise,

Dave Ross has accepted a speaking request with the Edison Electric Institute during their Environment Executive Advisory Committee meeting at 701 Pennsylvania Ave NW in Washington, DC on 3/8 between 8:30am and 11am. This meeting does not have a fee and is comprised of 30-50 energy company V.P's., directors and staff with responsibility for environmental management at the nation's investor-owned energy companies. Dave will be speaking for about 20 minutes plus a 10 minute Q&A during this event.

I have attached the speaker request form.

Thanks,  
Lauren

Lauren Mayer  
ORISE Participant  
Office of Water  
U.S. Environmental Protection Agency  
Phone: 202-564-0408  
[Mayer.Lauren@epa.gov](mailto:Mayer.Lauren@epa.gov)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/7/2018 2:38:08 AM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Jennie Keith [Keith.Jennie@epa.gov]  
**Subject:** RE: Ethics Review: California Lincoln Day Dinner  
**Attachments:** HOW TO REVIEW POLITICAL INVITATIONS.doc; HOW TO CALCULATE POLITICAL TRAVEL.doc; EPA Administrator Pruitt Speaker Request Form.docx

Hi Hayley,

Yep, you're exactly right that this event is a political one that raises concerns under the Hatch Act. Good for you for spotting it! I've attached the OGC/Ethics guidelines for how to review political invitations and also how Gail Davis and I will need to calculate any travel costs associated with this event if Mr. Pruitt decides to accept.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Ford, Hayley  
**Sent:** Tuesday, February 06, 2018 5:39 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Subject:** Ethics Review: California Lincoln Day Dinner

Justina –

Per our conversation, attached is the request form to speak at the Lincoln Day dinner in California. Below is additional information. As I mentioned, the COS for Leader McCarthy's office said that the Republican Party would cover all travel costs associated with this event.

1. the event invite goes to local kern county republicans - there is a ticket price that is meant to cover dinner costs, as well as help fundraise for the local party.
2. not an official speech. generally speaking, the party and dinner attendees enjoys hearing whatever the keynote speaker wants to discuss - usually in the vein of the broad principles of the party and the speaker's thoughts about current events and how principles apply to the present.
3. the official host of the event is the kern county republican party.

For further questions and to discuss this event, you can reach out to James Min at Ex. 6 - Personal Privacy or

Ex. 6 - Personal Privacy

Thanks!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

**“POLITICAL” TRAVEL:  
HOW TO CALCULATE AND COLLECT PAYMENT  
ASSOCIATED WITH POLITICAL EVENTS**

Under the Hatch Act, 5 U.S.C. §§ 7321-7326, PAS appointees are permitted to participate in partisan political activity while on government time and in government facilities. However, they cannot use their EPA official authority, including titles, in connection with the political activity. They cannot fundraise and cannot directly solicit or discourage the political participation of any person who has business pending before EPA. They cannot direct subordinates to assist them nor can they accept the volunteer political activity services of subordinates. The Hatch Act prohibits use of federal appropriated dollars to pay for any travel costs associated with political activity. This guidance will help you to know what travel expenses EPA can – and cannot – cover.

Who is a PAS appointee?

EPA has 14 PAS positions, who are **P**residential **A**ppointees confirmed by the Senate. They are the Administrator, the Deputy Administrator, the General Counsel, the Inspector General, the Chief Financial Officer, and the nine Assistant Administrators.

What is “political” travel?

As a general rule, travel by senior Administration officials is considered “political” if the primary purpose involves their positions as leaders of their political party. Travel is considered “political” when the PAS appointee is appearing at partisan political events, including conferences, political party functions, campaigning for specific candidates or attending a fundraiser (though never with reference to official position). For the purposes of this guidance, “political travel” includes local trips and trips beyond the 50-mile duty station radius. EPA funds cannot be used to pay for political travel.

Who pays for political travel?

In all cases, political travel must be paid for by the political entity.

What is not “political” travel?

Speeches to groups in support of Administration positions, whether or not related to environmental subjects, are generally considered “official” in nature. A speech before a non-partisan group, such as a Chamber of Commerce, is not partisan or political in nature if it contains no express advocacy and no direction that a particular political party’s candidates should be supported in an election campaign.

To what extent can non-PAS staff assist the PASer with political activity and travel?

Only PAS appointees can engage in political activity during normal duty hours or on government premises.

The Hatch Act permits EPA staff to provide services to the PAS appointee only to the extent that those services are ordinarily provided by them as part of their official duties and only so long as the work is purely official and not political in any way. For example, a security detail may

accompany the Administrator, even to political event, so long as the detail is providing security and not actually participating in the political activity. EPA must pay the security detail's travel.

Similarly, an administrative assistant may prepare the travel and itinerary associated with a political trip even if the PAS employee is engaged in political activity or a mix of official and political activity. EPA staff may also prepare briefing materials associated with official Administration activities as part of their government duties, even if such materials might be included in partisan statements.

EPA staff may not, however, use duty time to prepare materials that will be used solely for "political" purposes, such as platform materials or other statements of "political" advocacy, nor can they volunteer their off-duty time to assist any EPA PAS official. The Hatch Act prohibits PAS employees from accepting volunteer political services from subordinates.

Who determines whether a trip is "political" or "official" in nature?

OGC/Ethics makes this determination. Among the factors that OGC will take into consideration are: (1) the sponsor of the event, (2) the group or organization being addressed, (3) other participants, and (4) whether the speech is partisan and political in nature or whether it is a factual presentation or defense of the Administration's position on the issues.

Can a trip contain both "political" and "official" elements?

Yes, but OGC/Ethics must work with the PASer's staff to apportion the costs between EPA and the political sponsor. EPA travel funds CANNOT be used for political travel!

How does EPA apportion the costs of a trip?

When events involve a mix of political and official travel, then OGC/Ethics works with the PASer's travel staff to identify all travel costs and applies the following "hard-time formula" to determine which costs are associated with political activity and which costs are associated with official duty:

|                                                         |   |                                                             |   |                                         |
|---------------------------------------------------------|---|-------------------------------------------------------------|---|-----------------------------------------|
| Time spent in<br>official meetings,<br>receptions, etc. | + | Time spent in<br>political meetings,<br>receptions, rallies | = | Total<br>activity<br>time               |
| <u>Time spent in official activity</u>                  |   | =                                                           |   | Percentage of trip<br>that is official  |
| Total activity time                                     |   |                                                             |   |                                         |
| <u>Time spent in political activity</u>                 |   | =                                                           |   | Percentage of trip<br>that is political |
| Total activity time                                     |   |                                                             |   |                                         |

[ PAGE \\* MERGEFORMAT ]



EXAMPLE: A PAS employee travels to Chicago and spends 3 hours on official business in the regional office, and then spends 2 hours on political activity. EPA should pay 3/5ths of the total cost of the trip while the political sponsor pays 2/5ths of the total costs.

NOTE: In a presidential election, however, then the campaign will pay for ALL of the costs using the “hypothetical” formula instead of the “hard time” formula.

#### HELPFUL HINTS:

- ⇒ Do not apply the “hard time” allocation to expenses that are solely one type or another.
  - An expense to rent a sound system for a political event must be paid in its entirety by the political sponsor. Similarly, a registration fee to attend a conference in official capacity must be paid in its entirety by the Agency.
- ⇒ In allocating costs other than air travel (e.g., lodging or per diem), use the government maximum for that type of expense.
  - If a mixed trip is 50% official and 50% political, and the government per diem rate is \$140, then the maximum per diem expense chargeable to the government is 50% of \$140, not 50% of the actual cost.
- ⇒ Any questions should be resolved in favor of charging EPA less and the political sponsor more.

What is the process for seeking and receiving payment from a political sponsor?

1) The PAS travel coordinator and/or administrative staff must consult OGC/Ethics to determine whether the trip is political, official or mixed. This determination must be made by OGC/Ethics in writing.

2) OGC/Ethics verifies with the scheduling staff and the political sponsor that the political sponsor understands it will be paying for all political travel. A copy of this correspondence must be included in the official travel record.

3) EPA makes all travel arrangements, prepares the travel authorization (TA), and arranges for EPA to pay the travel expenses. In this way, the Agency maintains control over the PAS appointee’s schedule and ensures that s/he is eligible for city pair fares and the government rate, and gets refundable tickets in the event of a change in reservations.

The TA must include a statement that the PAS appointee is traveling for a political purpose or a mixed political purpose and that the political sponsor will be paying for all political travel expenses. In this way, EPA’s Finance Center is alerted to the fact that it will pay the PAS appointee for the travel using EPA funds, but that EPA will obtain reimbursement from a third-party. When the payment arrives, EPA will be able to accept the money directly. It will not need to go to the US Treasury for miscellaneous receipts.

[ PAGE \\* MERGEFORMAT ]

4) The PAS travel coordinator, the PAS scheduling staff and OGC/Ethics review the planned itinerary to identify all politically-related travel costs and to approximate the time spent in political activity. The PAS travel coordinator, in consultation with OGC/Ethics, prepares the travel record.

5) Upon return from the trip, the PAS employee provides all receipts to the PAS travel coordinator to prepare the travel voucher. The voucher must include a statement that the PAS employee traveled for a political purpose or a mixed political purpose and that the political sponsor will be paying for all political travel expenses.

6) OGC/Ethics calculates the political expenses. For mixed political and official trips, OGC/Ethics calculates the hard-time allocation. The PAS travel coordinator includes the completed "event worksheet" in the official travel record.

7) OGC/Ethics writes to the political sponsor for payment in the form of a check made out to US EPA. The check must be sent to the PAS travel coordinator. Upon receipt, the PAS travel coordinator verifies that the amount received is at least the same as the amount requested, then notifies OGC/Ethics that the reimbursement has arrived. The PAS travel coordinator writes the DCN number and TA number on the check and sends it to Finance so that the EPA travel budget can be reimbursed. A copy of the check must be included with the official travel record.

[ PAGE \\* MERGEFORMAT ]

## HOW TO REVIEW POLITICAL INVITATIONS IN ACCORDANCE WITH THE HATCH ACT

The Hatch Act, 5 U.S.C. ' ' 7321-7326, regulates the political activities of federal employees in the Executive Branch of the Federal government. A Political activity@ is defined as an activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. Under the Hatch Act, most employees cannot participate in partisan political activity while on government time and in government facilities. However, this rule is different for PAS employees. This guidance will help you to know what the PAS employees can B and cannot B do.

### Who is a PAS appointee?

EPA has 14 PAS positions, who are **P**residential **A**ppointees confirmed by the Senate. They are the Administrator, the Deputy Administrator, the General Counsel, the Inspector General, the Chief Financial Officer, and the nine Assistant Administrators.

### What are all employees prohibited from doing under the Hatch Act?

There are several things that no employee, including PASers, should do:

- (1) Don=t use your official authority or influence to interfere with or affect an election. Don=t use your official title while participating in political activity and don=t use your authority to coerce anyone to participate in political activity. Importantly, you can=t solicit, accept or receive uncompensated volunteer services from any subordinate for any political purpose;
- (2) Don=t fundraise, even in your private capacity. You can=t even let your name be used as the host of fundraiser. You can=t solicit political contributions in a speech or address at a fundraiser, and you can=t let your official title be used in connection with a fundraiser. You also can=t solicit, accept or receive volunteer services from an EPA subordinate;
- (3) Don=t run for partisan public office; and
- (4) Don=t solicit or discourage political activity from any person who is doing business with the Agency. This includes any person who has an application for any compensation grant, contract, ruling, license, permit, or certificate pending in your office. It also includes any person who is the subject of an investigation, audit or enforcement action in your office. For PAS appointees, this description can include a lot of people!

### How are PASers special under the Hatch Act?

Unlike most employees, EPA=s fourteen PASers can participate in political activity while on duty, on government premises, in a government vehicle, and while wearing the EPA badge. But only they can do so and only with each other. The rest of the EPA employees, including Schedule Cs and non-career SESers cannot.

### The ASecret Service@ exception

In limited cases, the Hatch Act nevertheless allows staff to assist the PAS consistent with their official duty. For example, a security detail may accompany the Administrator, even to a political event, so long as they are providing security and not himself participating in the political activity. Similarly, an administrative assistant may prepare the travel and itinerary associated with a political trip even if the Administrator is engaged in political activity or a mix of official and political activity.

But this exception should not be broadened to include speech writing or any Aextra@ voluntary service! The PAS appointee cannot ever accept the “volunteer services” of any EPA subordinate. In other words, no EPA employee can volunteer to help them with speechwriting for or assisting at the political event. If the PAS appointee needs help, then the Republican National Committee or another partisan entity can provide it.

### What happens if an EPA PAS is invited to a political event?

1) The Scheduling Staff for the PAS should **examine the invitation** to determine who issued the invitation to the PAS employee and whether it is indeed for a political event.

| Clues: is the invitation from a campaign committee to elect someone? Is the event called a Arally@ or a Afundraiser@ or does it use words like Aget out the vote?@

2) The Scheduling Staff should **send a copy of the invitation to OGC/Ethics** for review and confirmation as to whether it is indeed a political event.

3) If the event is political, then the Scheduling Staff must do the following:

§ send the requestor the EPA=s Aground rules@ about political events

§ ask questions about the event:

| who is the host of the event?

| are there any co-sponsors?

| where will the event be held?

| who are the anticipated invitees to the event?

| how many people are expected to attend?

| what is the anticipated role of the EPA PAS at the event?

§ identify a contact person on the Scheduling Staff to work with OGC

§ identify a contact person on the requestor=s staff to talk to OGC

§ do not confirm attendance until the event is cleared, in writing (by email), by OGC

NOTE: An employee with Agency-wide responsibility may address a large, diverse group to seek support for a partisan political candidate so long as the group has not been specifically targeted as having matters before the employing office. 5 CFR 734.305.

| An example of a permitted activity: the Administrator may speak on behalf of a partisan candidate at a forum sponsored by the League of Women Voters that is expected to have more than 100 people attend. However, he cannot use his official title and cannot solicit funds for the candidate in his speech. He also should not say that the candidate is endorsed by the US EPA.

| An example of a prohibited activity: the Administrator will not be permitted to speak at an event that is sponsored by an environmental law firm for its clients to be held in the law firm=s offices.

| OGC will examine closely where the event is to be held and the sponsors and hosts. Scrutiny will be applied to certain entities, including lobbying organizations, law firms, for-profit and not-for-profit entities that have an environmental focus, and trade associations.

4) If the event is cleared, then the Scheduling Staff can confirm attendance, subject to the EPA=s ground rules. The Scheduling Staff should now:

- \$ obtain a list of all of the invitees and send that list to OGC
- \$ obtain copies of all of the invitations and send to OGC for review of the format
- \$ talk to the PAS travel coordinator and OGC about payment for any political travel
- \$ reaffirm to the PAS that s/he cannot accept any volunteer services, including speeches
- \$ provide the PAS with the EPA=s ground rules as part of her/his briefing package



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
Washington, D.C. 20460

**GROUND RULES FOR PARTICIPATION IN A POLITICAL EVENT**

Your political organization/campaign has invited a Presidentially-Appointed and Senate-confirmed appointee of the U.S. Environmental Protection Agency to speak at your political event. The Hatch Act, 5 U.S.C. §§ 7321-7326, sets forth certain restrictions that this employee must follow. Our employee cannot use official EPA authority to further any political activity; cannot solicit, accept or receive political contributions; and cannot solicit or discourage the political participation of anyone who has business pending before the Agency.

We ask that you review our ground rules carefully and ensure that they are followed. Failure to follow these rules may result in withdrawal of any approval for our employee to participate.

- You must provide EPA with a copy of the invitation and any other public communications regarding the event before you may distribute them so that our counsel can ensure compliance with federal rules.
- You cannot use or permit the use of our employee's EPA title or position. You cannot refer to his/her EPA position or title or affiliation in any way, including in any advertising or communication or any attempt to bolster attendance.
- Once EPA agrees to the final version of the invitation or other public communications, you cannot make any subsequent changes to the text or format nor change the title of the electronic files.
- You must provide EPA with a complete description of the event, the proposed venue, any sponsors or affiliated entities, and a summary description of proposed invitees.
- You may not specifically target invitees with interests before the Agency. If EPA agrees to provide a speaker, you will provide a list of all invitees to EPA and their contact information at least 48 hours in advance of the event.
- When you issue your invitations, include this statement as part of the distribution:

PLEASE NOTE: The federal Hatch Act prohibits this speaker from soliciting or discouraging the political participation of any person who has an application for any compensation grant, contract, ruling, license, permit, or certificate pending before US EPA. If you or your company has any business pending before any part of EPA, we ask that you not attend this event.

Any questions regarding these rules should be directed to Justina Fugh, Senior Counsel for Ethics, at [fugh.justina@epa.gov](mailto:fugh.justina@epa.gov) or 202 564 1786.

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/5/2018 2:21:09 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Revised Form for Approval to Accept Travel Under Ethics Reform Act  
**Attachments:** ALI Revision on 2.1.18.pdf

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**From:** Dunn, Alexandra  
**Sent:** Thursday, February 01, 2018 6:09 PM  
**To:** OGC Ethics <OGC\_Ethics@epa.gov>  
**Cc:** Jensen, LeAnn <Jensen.Leann@epa.gov>  
**Subject:** Revised Form for Approval to Accept Travel Under Ethics Reform Act

OGC/Ethics –

Attached is a revised Form for Approval to Accept Travel Under Ethics Reform Act. I will be traveling to Washington D.C. on Thursday, February 8, 2018 to make a day-long presentation at The American Law Institute on Friday, February 9, 2018. ALI has offered to pay for my travel.

Kindly note that OGC/Ethics approved a previous request for approval of this travel on Tuesday, January 30, 2018. Note, however, that my request has been modified to (1) include hotel accommodations for the evening of February 8, 2018, and (2) reflect the fact that ALI will provide the travel expenses in-cash rather than in-kind. As a result, I ask that you withdraw your previous approval and review and approve the attached revised request.

Note that LeAnn Jensen, Assistant Deputy Ethics Official for Region 1, has approved this request.

Thank you.

Alex

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 1/29/2018 4:14:56 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: ALI form - 2nd Revision  
**Attachments:** ALI Revised 2.7.18.pdf

From LeAnn Jensen ...

---

**From:** Jensen, LeAnn  
**Sent:** Friday, January 26, 2018 4:02 PM  
**To:** ethics <ethics@epa.gov>  
**Subject:** FW: ALI form - 2nd Revision

Hello –

Kindly disregard the Approval to Accept Travel Form I sent you yesterday concerning travel that be paid for by The American Law Institute on behalf of Alex Dunn. Alex will be making a one day presentation on EPA priorities and programs on 2/8, and ALI has offered to pay for her travel to Washington. I have approved this form.

Please copy me on your approval/disapproval of this form.

Thanks.

LeAnn  
617-918-1072

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**From:** Dunn, Alexandra  
**Sent:** Thursday, January 25, 2018 3:18 PM  
**To:** Jensen, LeAnn <[Jensen.Leann@epa.gov](mailto:Jensen.Leann@epa.gov)>  
**Subject:** ALI form - 2nd Revision



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/27/2018 10:40:45 PM  
**To:** Soltani, Beth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=03064c9196634648b70375f541a7d07e-Soltani, Beth A.]  
**Subject:** RE: Sign up Now for NYC Biodiesel Tour - Registration Extended  
**Attachments:** Files from IPA training.zip

Hey Beth,

Thanks for clarifying that the invitation is transferrable and that Pete is hoping that Chris Lyon may attend. Unlike the rest of the participants, who are coming from DC, Chris will already be in NYC, so he will be picking up the tour at the NYC sanitation department.

As an Administratively Determined appointee (which is not a political appointment because it is not vetted through the White House), Chris is subject to the Standards of Ethical Conduct for Employees of the Executive Branch, which include specific provisions regarding gifts. He cannot accept gifts that are given to him because of his official position or that are proffered by a prohibited source. To be clear, this entire event is sponsored by a prohibited entity and offered because of his official position. So we have to determine whether any exclusion or exception to the gift rules will apply to permit Chris to participate.

Here's the agenda, with my questions in red:

**8:30 a.m. to 10:30 a.m.**

**Orientation meeting at New York City Sanitation Department, 52-35, 58<sup>th</sup> St. Woodside, NY (a continental breakfast will be provided)** JUSTINA: Who is paying for the breakfast? How much is it per person? Under the gift rules, Chris cannot accept a meal because of his official position. But if the breakfast is \$20 or less per person (based on actual cost, including any gratuity), then it will fit the gift exception at 5 CFR 2635.204(a) and he can eat it. Someone has to find out the cost of the breakfast and tell an ethics official (like Mitch Cohen or me) so that a formal determination can be made. Otherwise, he has to pay for the breakfast out of his own pocket (and can't claim per diem because he's not in travel status) or show up after breakfast.

- **New York City Department of Sanitation Deputy Commissioner Rocco DiRico – Welcome and NYC Sanitation Biodiesel Overview**

The New York City Department of Sanitation is the largest sanitation department in the world with over 7,200 uniformed sanitation workers and supervisors, 2,041 civilian workers, 2,230 collection trucks, 275 specialized collection trucks, 450 street sweepers, 365 salt and sand spreaders, 298 front end loaders, 2,360 support vehicles, and handles over 12,000 tons of residential and institutional refuse and recyclables a day. Here you will hear of their biodiesel and BioHeat use and experiences, see their emissions testing lab and hear of the commitment New York City has to the environment through its adoption of the City of New York Sustainability Policy.

- **Tom Verry, Executive Director, National Biodiesel Foundation and Rosemarie Calabro Tully, Director of Public Affairs and Federal Communications, National Biodiesel Board**  
Welcome, Introductions and Industry Overview.

**Rocco Lacertosa, New York Oil Heat Association** - New York City is the largest home heating oil market in the United States. Each year the city uses over one billion gallons of heating oil. New York City currently has a standard that requires a 2% blend of Bioheat® in all home heating oil. Rocco will talk about the city's next step in adopting a heating oil standard that will require 5% and greater blends of Bioheat® in the future.

**Ryan Lamberg, environmental and technical consultant for NBB**

**Description: West Coast Biodiesel Update.** Ryan will review the dynamics, regulations and trends in the market place along the West Coast. Biodiesel and renewable diesel demand has increased year after year and may reach 1 billion gallons by 2020 or soon thereafter. Ryan will provide greater insight into both West Coast regulations and potential states in the Northeast that are trying to mimic these efforts.

JUSTINA: This sounds like just a presentation. No ethics issues here.

**10:30 a.m. – 12:00 p.m.**

**Overview and Tour New York City Sanitation Department Vehicle Maintenance Facility, 52-35, 58<sup>th</sup> St. Woodside, NY**

The New York City Department of Sanitation is the largest sanitation department in the world, with 9,000 employees and over 6,000 vehicles that handles over 12,000 tons of residential and institutional refuse and recyclables a day. The sanitation department is one of the largest single users of biodiesel in the country. Biodiesel is used throughout their fleet to meet performance and carbon reduction goals.

JUSTINA: How will Chris be transported? In a bus or car at the expense of whom? This is also a gift (of transportation). If the donor is the same entity as the breakfast and he eats the breakfast, then he's out of luck because the gift exception is \$20 per occasion. He could skip breakfast (or pay for it himself) and then take the tour if we learn that the cost per person is less than \$20. If it's more than \$20 per person, then EPA has to pay for his transportation.

**12:30 p.m. - 1:30 p.m.**

**Lunch with NYC Councilman Costa Constantinides, Astoria, Queens**

Council Constantinides is the champion for biodiesel and Bioheat on the New York City Council. The councilman has been instrumental in sponsoring legislation that has helped to developed New York City as one of the biggest biodiesel and Bioheat markets in the country. Council Constantinides was the main sponsor of the recently passed NYC Bill 642 that will mandate B20 Bioheat use by 2034.

JUSTINA: Who is paying for the lunch? He can pay for himself.

**1:30 p.m. Depart for Bronx Design and Construction Academy**

JUSTINA: how is he getting there? EPA may need to cover his local transportation costs.

**1:45 p.m. – 3:30 p.m.**

**Tour Bronx Design and Construction Academy**

**333 East 151<sup>st</sup>, Bronx, NY 10431**

**Pete Gonzalez, Work Base Learning Coordinator, 718 402-7690**

The Academy is working the New York Heating Oil Association to educate high schools students that are considering a future as heating oil technicians on the benefits of using Bioheat in commercial and residential applications.

Generally speaking, Chris can go, but there are several gift questions that need addressing.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Begin forwarded message:

**From:** National Biodiesel Foundation <[susan@biodieselfoundation.org](mailto:susan@biodieselfoundation.org)>

**Date:** February 12, 2018 at 2:50:31 PM EST

**To:** <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>

**Subject:** Sign up Now for NYC Biodiesel Tour - Registration Extended

**Reply-To:** <[mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org)>

Peter ,

Hope you are having a good day.

I wanted to flag this quick, one-day trip in March to New York to view some key biodiesel facilities. We'll travel late from DC to NYC on Thursday, March 22, then spend Friday, March 23, in New York City learning how the state uses biodiesel.

More details below—let me know if you have any questions. We'd love to have you join us.

We have a few slots still open and have been able to extend the registration. **Please let us know by tomorrow (2/21) COB. We can accept registrations until we are at capacity.** Please email Morgan Townsend at [mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org) to register.

Best,

Official Invitation:



Dear Peter ,

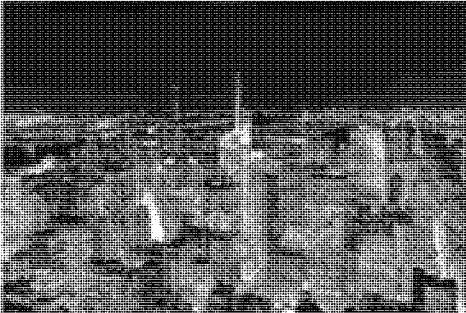
PO Box 104898

Jefferson City, MO 65110-4898

REGISTER: March 23rd NYC Biodiesel Tour | (Limited Seating)

Peter

Just a brief reminder that **registrations are due no later than February 21 for the 2018 NYC Congressional Staff Biodiesel Tour**. Please email Morgan Townsend at [mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org) to register.



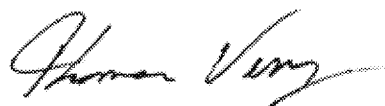
Made from an increasingly diverse mix of resources such as recycled cooking oil, soybean oil and animal fats, biodiesel is a renewable, clean-burning diesel replacement used in existing diesel engines. It is the first and only commercial-scale fuel produced across the U.S. to meet the EPA's definition of an Advanced Biofuel. This means the EPA has determined that biodiesel reduces greenhouse gas emissions by more than 50 percent when compared to petroleum diesel.

The tour is designed to provide Congressional staff with an understanding of the environmental and economic impacts of biodiesel and Bioheat®. Speakers and experts from the National Biodiesel Foundation will highlight technological advancements that are improving the efficiency of biodiesel in various applications in the Northeast and around the country. The tour schedule includes time to exchange of ideas about biodiesel and energy policy.

The 2018 NYC Congressional Staff Biodiesel Tour will be held on March 23, with travel beginning on the evening of March 22. This privately-sponsored tour will comply with all Ethics Committee travel regulations.

**Space is limited, and registrations must be received by COB February 21, 2018. Reserve your seat now!** If you are interested in participating in the tour, **please contact Morgan Townsend at [mtownsend@biodiesel.org](mailto:mtownsend@biodiesel.org)**. We will email you the registration package, and work with you to complete the ethics packet before the deadline.

We look forward to seeing you on the tour.



Tom Verry  
Executive Director



Sincerely,

Jeff Lynn  
President

Agenda is as follows:

---

## 2018 NY Biodiesel Congressional Tour Sustainable Biodiesel: Improving the Environment and Economy

### Thursday, March 22<sup>nd</sup>

**6:05 p.m.**                      **Depart Union Station, DC – Amtrak Train (Northeast Regional) – *unless schedule changes***

**9:30 p.m.**                      **Arrive at Penn Station, NYC**

**10:00 p.m.**                      **Arrive at Courtyard New York Manhattan/Herald Square**  
71 West 35th Street at 6th Avenue New York, NY 10001

*This is a travel day. There are no officially-connected meals or activities scheduled with the sponsors on Wednesday.*

### Friday, March 23<sup>rd</sup>

**8:00 a.m.**                      **Depart hotel by bus**

**8:30 a.m. to 10:30 a.m.**

**Orientation meeting at New York City Sanitation Department, 52-35,  
58<sup>th</sup> St. Woodside, NY (a continental breakfast will be provided)**

- **New York City Department of Sanitation Deputy Commissioner Rocco DiRico –  
Welcome and NYC Sanitation Biodiesel Overview**

The New York City Department of Sanitation is the largest sanitation department in the world with over 7,200 uniformed sanitation workers and supervisors, 2,041 civilian workers, 2,230 collection trucks, 275 specialized collection trucks, 450 street sweepers, 365 salt and sand spreaders, 298 front end loaders, 2,360 support vehicles, and handles over 12,000 tons of residential and institutional refuse and recyclables a day. Here you will hear of their biodiesel and BioHeat use and experiences, see their emissions testing lab and hear of the commitment New York City has to the environment through its adoption of the City of New York Sustainability Policy.

- **Tom Verry, Executive Director, National Biodiesel Foundation and Rosemarie Calabro Tully, Director of Public Affairs and Federal Communications, National Biodiesel Board**

Welcome, Introductions and Industry Overview.

**Rocco Lacertosa, New York Oil Heat Association** - New York City is the largest home heating oil market in the United States. Each year the city uses over one billion gallons of heating oil. New York City currently has a standard that requires a 2% blend of Bioheat® in all home heating oil. Rocco will talk about the city's next step in adopting a heating oil standard that will require 5% and greater blends of Bioheat® in the future.

**Ryan Lamberg, environmental and technical consultant for NBB**

**Description: West Coast Biodiesel Update.** Ryan will review the dynamics, regulations and trends in the market place along the West Coast. Biodiesel and renewable diesel demand has increased year after year and may reach 1 billion gallons by 2020 or soon thereafter. Ryan will provide greater insight into both West Coast regulations and potential states in the Northeast that are trying to mimic these efforts.

**10:30 a.m. – 12:00 p.m.**

**Overview and Tour New York City Sanitation Department Vehicle Maintenance Facility, 52-35, 58<sup>th</sup> St. Woodside, NY**

The New York City Department of Sanitation is the largest sanitation department in the world, with 9,000 employees and over 6,000 vehicles that handles over 12,000 tons of residential and institutional refuse and recyclables a day. The sanitation department is one of the largest single users of biodiesel in the country. Biodiesel is used throughout their fleet to meet performance and carbon reduction goals.

**12:30 p.m. - 1:30 p.m.**

**Lunch with NYC Councilman Costa Constantinides, Astoria, Queens**

Council Constantinides is the champion for biodiesel and Bioheat on the New York City Council. The councilman has been instrumental in sponsoring legislation that has helped to developed New York City as one of the biggest biodiesel and Bioheat markets in the country. Council Constantinides was the main sponsor of the recently passed NYC Bill 642 that will mandate B20 Bioheat use by 2034.

**1:30 p.m. Depart for Bronx Design and Construction Academy**

**1:45 p.m. – 3:30 p.m.**

**Tour Bronx Design and Construction Academy**

**333 East 151<sup>st</sup>, Bronx, NY 10431**

**Pete Gonzalez, Work Base Learning Coordinator, 718 402-7690**

The Academy is working the New York Heating Oil Association to educate high schools students that are considering a future as heating oil technicians on the benefits of using Bioheat in commercial and residential applications.

- 4:30 p.m.**      **Arrive at Penn Station, NYC** - The Sustainability Tour will conclude with a Q&A Session with tour participants, sponsors and staff. This will be the time for participants to answer all their questions, discuss the day's events and get one-on-one time with biodiesel experts.
- 6:25 p.m.**      **Amtrak train departs for Union Station, DC**
- 9:50 p.m.**      **Arrive at Union Station, DC**

Thank you to our sponsors:



Message

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**From:** ethics [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D77D8564B916474A9312EC6C9C4DCA55-ETHICS]  
**Sent:** 1/26/2018 5:00:44 PM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: ALI Revised form - Alexandra Dunn  
**Attachments:** ALI Revised 2.7.18.pdf

---

**From:** Jensen, LeAnn  
**Sent:** Thursday, January 25, 2018 3:32 PM  
**To:** ethics <ethics@epa.gov>  
**Subject:** FW: ALI Revised form - Alexandra Dunn

OGC/Ethics –

As the regional ADEO, I have reviewed and approved the attached form to accept travel from an outside source.

Please let me know if you have questions or need additional information.

Thanks,

LeAnn  
617-918-1072

---

**From:** Dunn, Alexandra  
**Sent:** Thursday, January 25, 2018 12:01 PM  
**To:** Jensen, LeAnn <[Jensen.Leann@epa.gov](mailto:Jensen.Leann@epa.gov)>  
**Subject:** ALI Revised form



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 2/9/2018 1:14:38 AM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]  
**Subject:** Re: Ethics Review: California Lincoln Day Dinner

Oh, Hayley, that's so sad! Yes, of course we will stand by. Thanks for letting me know.  
Justina

Sent from my iPhone

On Feb 8, 2018, at 5:30 PM, Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)> wrote:

Justina,

**Ex. 6 - Personal Privacy**

it is being postponed. They will let me know the new date and submit a new form likely next week and then I will pass along to you. We did discuss with the Administrator today and he would like to attend, so I'll touch base when the new date is determined.

Thank you!

*Hayley Ford*

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Fugh, Justina  
**Sent:** Wednesday, February 7, 2018 4:33 PM  
**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** RE: Ethics Review: California Lincoln Day Dinner

Actually, we should talk about what happens next. I'll call you!

---

**From:** Ford, Hayley  
**Sent:** Wednesday, February 07, 2018 9:58 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** RE: Ethics Review: California Lincoln Day Dinner

Justina,

Thank you for sending. I understand that at this point, I am waiting for you to review and clear his attendance before doing anything else. Please let me know if you are unable to reach James to complete your review.

Thanks!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

---

**From:** Fugh, Justina

**Sent:** Tuesday, February 6, 2018 9:38 PM

**To:** Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>

**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>

**Subject:** RE: Ethics Review: California Lincoln Day Dinner

Hi Hayley,

Yep, you're exactly right that this event is a political one that raises concerns under the Hatch Act. Good for you for spotting it! I've attached the OGC/Ethics guidelines for how to review political invitations and also how Gail Davis and I will need to calculate any travel costs associated with this event if Mr. Pruitt decides to accept.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley

**Sent:** Tuesday, February 06, 2018 5:39 PM

**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>

**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Subject:** Ethics Review: California Lincoln Day Dinner

Justina –

Per our conversation, attached is the request form to speak at the Lincoln Day dinner in California. Below is additional information. As I mentioned, the COS for Leader McCarthy's office said that the Republican Party would cover all travel costs associated with this event.

1. the event invite goes to local kern county republicans - there is a ticket price that is meant to cover dinner costs, as well as help fundraise for the local party.

2. not an official speech. generally speaking, the party and dinner attendees enjoys hearing whatever the keynote speaker wants to discuss - usually in the vein of the broad principles of the party and the speaker's thoughts about current events and how principles apply to the present.

3. the official host of the event is the kern county republican party.

For further questions and to discuss this event, you can reach out to James Min at Ex. 6 - Personal Privacy or

Ex. 6 - Personal Privacy

Thanks!

***Hayley Ford***

Deputy White House Liaison and Personal Aide to the Administrator  
Environmental Protection Agency

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 1/25/2018 2:46:26 AM  
**To:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** RE: ABA SEER Group Speaking Invitation  
**Attachments:** ABA speaker release form for govt employees.pdf

Derrick,

Gosh, I have no idea what you mean by something clearing "ethic." Are you asking me whether there are any ethics issues associated with Nancy's giving this speech as part of her official duties? If so, then no. She has been asked to speak in her official capacity and may do so. Because she is speaking, she may attend the forum and, if a meal is provided, eat that meal. The only thing to worry about is the speaker's release form. Be sure that she is given the one that is for government speakers. I've attached one that I signed for the ABA last year as an example.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Bolen, Derrick  
**Sent:** Wednesday, January 24, 2018 1:56 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: ABA SEER Group Speaking Invitation

Justina-

I just wanted to run this by you to make sure it clears ethic.

Thank you,  
Derrick Bolen

---

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator, OCSPP  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
[Beck.Nancy@epa.gov](mailto:Beck.Nancy@epa.gov)

Begin forwarded message:

**From:** "Timothy A. Brown" <[tbrown@cspa.org](mailto:tbrown@cspa.org)>  
**Date:** January 24, 2018 at 9:49:59 AM EST  
**To:** "[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)" <[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)>  
**Subject:** ABA SEER Group Speaking Invitation

Dear Nancy,

By way of introduction, this is Tim Brown from CSPA and we met last year soon after your appointment with my colleague Steve Bennett. I am a member of the American Bar Association's Section of Environment, Energy and Resources (SEER) group and attached is a formal invitation to speak at one our upcoming Friday Forums in March 2018. As always, should you have any questions regarding this invitation of the group in general, please don't hesitate to contact me.

Thanks in advance,  
Tim

***Timothy A. Brown, Esq.***

*Vice President, Regulatory Counsel & International Affairs  
Consumer Specialty Products Association*

***Coming in 2018 your new,***

**SPEAKER RELEASE**  
American Bar Association  
321 N. Clark Street, Chicago, IL 60654

ABA Entity: Section of Environment, Energy, and Resources

Name of Presenter ("You"):                      Address:                      Phone:                      Email:  
ABA Program Title ("Program"): 35th Water Conference  
Location of Program:              Los Angeles, CA              Date of Program: March 29, 2017  
Title of Presentation/Paper:  
Please sign and return this form by: Friday, January 20, 2017                      to:  
Jennifer.Idrovo@americanbar.org

This is to confirm that the undersigned has agreed to participate in the American Bar Association (ABA) program described above.

As set forth below:

1. Presenter acknowledges the presentation and/or written materials has been authored by U.S. Government employees acting within his or her official capacity, and therefore falls under the coverage of 17 U.S.C. 105.
2. Presenter acknowledges that the ABA has the right to use Presenter's name persona, photograph, biography, voice, likeness, speaker presentation and/or written materials in connection with the program.
3. Presenter hereby acknowledges that the ABA has the right to edit the presentation and/or written materials, but does not obligate the ABA to publish Presenter's presentation or other materials.
4. Presenter represents that the presentation and/or written materials are original to Presenter and Presenter's staff and to the best of the Presenter's knowledge does not infringe upon any copyright, proprietary right, or any other right whatsoever of any party and that Presenter has made no agreements inconsistent with this Release. Presenter further represents that to the best of the Presenter's knowledge the presentation and/or written materials contains no matter that is scandalous, obscene, or libelous or otherwise contrary to law.
5. Presenter hereby acknowledges and agrees that the ABA has the right to reproduce, distribute and sell any audio, written or visual materials submitted in connection with the oral presentation, and to make the presentation, and/or written materials available in physical and electronic form, including mounting a copy of the presentation and/or written materials on media servers where the presentation and/or written materials may

be copied, downloaded and/or printed by persons accessing the servers, and acknowledges the presentation and/or written materials may be used and distributed without seeking further Presenter approval.

6. Presenter acknowledge and agree to comply with the ABA's "Open Meeting Policy," which states in part "all ABA programs are open to the media unless they are to conduct business sessions of a confidential nature." "Media" may include print, radio, TV, internet or other journalists as credentialed by the Division for Media Relations and Communication Services, including ABA journalists. In addition, Presenter acknowledges that media may record, photograph, or make fair use of portions of your presentation.

Presenter:

*Justin Mize* Date: 12/27/16  
(Signature)

AMERICAN BAR ASSOCIATION  
OFFICE OF THE GENERAL COUNSEL

APPROVED: *Stephanie Hignite*

10/5/11

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 11/29/2017 10:13:57 PM  
**To:** Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]  
**Subject:** RE: Leaders In Technology at CES 2018

Hi,  
Can you send me the invitation letter you received? I just see the invitation that was sent to Daisy.  
Justina

---

**From:** Gordon, Stephen  
**Sent:** Wednesday, November 29, 2017 2:42 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Leaders In Technology at CES 2018

Justina,

Hope all is well. I was invited to the same conference that my colleague Daisy Letendre was approved to attend by the OGC.

Could you let me know what I need to do moving forward to be able to accept this invitation? I need an ethics approval to accept the travel by Friday, December 1<sup>st</sup> to meet their deadline.

I tried you in your office a few minutes ago, but if it easier to explain over the phone please call my cell. I am flying back to DC tonight at 6:00pm, but I am available other than that.

Ex. 6 - Personal Privacy

Thank you!

-Stephen

Stephen L. Gordon Jr.  
Deputy Director for Public Engagement  
Office of the Administrator  
U.S. Environmental Protection Agency  
(202) 564-1301  
[Gordon.Stephen@epa.gov](mailto:Gordon.Stephen@epa.gov)

---

**From:** Letendre, Daisy  
**Sent:** Wednesday, November 29, 2017 2:30 PM  
**To:** Gordon, Stephen <[gordon.stephen@epa.gov](mailto:gordon.stephen@epa.gov)>  
**Subject:** Fwd: Leaders In Technology at CES 2018

Sent from my iPhone

Begin forwarded message:



**From:** "Fugh, Justina" <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Date:** October 24, 2017 at 7:18:57 PM EDT  
**To:** "Letendre, Daisy" <[letendre.daisy@epa.gov](mailto:letendre.daisy@epa.gov)>  
**Cc:** "Keith, Jennie" <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>  
**Subject:** RE: Leaders In Technology at CES 2018

Hi Daisy,

The short answer to your question is that EPA (meaning OGC/Ethics) can accept the offer of travel expenses, not you. The way we accept the travel is through our Lotus Notes database (see <http://intranet.epa.gov/ogc/ethics/travel.htm>) but you need to have a current Lotus Notes ID or password. See if you've got that (or can get it from EZ Tech). They may not want to install it for you if you don't have it already since it's being discontinued at the end of 2017. If you run into trouble, then fill out the attached pdf completely, sign it, and then get your own Deputy Ethics Official (Shannon Kenny) to sign off and then return it to me. I'll enter it into the system manually for you.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Letendre, Daisy  
**Sent:** Monday, October 23, 2017 11:01 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: Leaders In Technology at CES 2018

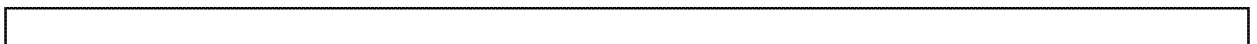
Good Morning Justina – could you provide guidance on whether I can accept this invitation? As background, I work with the Smart Sectors voluntary program in the office of policy and CTA who is hosting this event is one of our sector partners.

Let me know what you think...

---

**From:** Gary Shapiro [<mailto:LITprogram@CTA.tech>]  
**Sent:** Friday, October 20, 2017 11:34 AM  
**To:** Letendre, Daisy <[letendre.daisy@epa.gov](mailto:letendre.daisy@epa.gov)>  
**Subject:** Leaders In Technology at CES 2018

To view this email as a web page, go [here](#).





## RSVP for CES 2018

Dear Ms. Letendre,

You are invited to be the special guest of the Consumer Technology Association (CTA)<sup>™</sup> at our nation's largest annual tradeshow - CES<sup>®</sup> 2018, to be held **Jan. 9-12, 2018** in Las Vegas, NV.

As a technology policy leader, you are invited to participate in our Leaders in Technology (LIT) program at CES. As a participant, you will experience firsthand the innovative consumer technology industry that drives the American economy and provides millions of U.S. jobs.

CES is the world's gathering place for all who thrive on the business of consumer technology. Featuring the largest, global hands-on showcase of emerging innovation, CES represents all aspects of the technology spectrum. As an LIT program participant at CES 2018 you will be able to interact with cutting-edge technology such as drones, 3D printers, and self-driving technology, as well as discuss the policy issues that govern such emerging technologies as part of the Innovation Policy conference program.

The program is also designed to meet the ethics requirements for privately-sponsored travel. The program, including guest rooms and the Leaders in Technology registration suite, is headquartered at the Encore at Wynn Hotel.

CTA is offering to provide your roundtrip airfare, lodging, transportation in Las Vegas from and to the airport, as well as the show sites and group meals during your stay in Las Vegas. Your office must provide advance written authorization for your participation in this privately-sponsored travel. CTA is not a lobbying firm, but does employ federal lobbyists. If you are unable to accept CTA's payment but wish to participate, please indicate this during the registration process.

Register today at CES.tech. *This is a limited, non-transferable invitation and we ask that you reply by Nov. 17.*

We hope that you will be able to join us for the Leaders in Technology program at CES 2018 - the global stage for innovation.

Sincerely,  
Gary Shapiro  
President and CEO

This email was sent by: Consumer Technology Association  
1919 S. Eads St., Arlington, VA, 22202 US

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[Unsubscribe](#)

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/31/2018 1:56:06 PM  
**To:** mscarbrough@burkinc.com  
**Subject:** question for you from US EPA's Ethics Office  
**Attachments:** Fwd: SRA 2018 Fellows Award

Hi there,

My name is Justina Fugh, and I am the Director of the EPA Ethics Law Office. I understand that the Society for Risk Analysis has awarded its 2018 Fellows Award to Dr. Nancy Beck, who is an EPA employee. In writing to Dr. Beck, Jill Drupa included a link to your awards page, but I am not sure which of the listed awards is being conferred upon her. In order to determine whether her acceptance triggers any federal ethics rules, I need more information, I'm afraid. Is Dr. Beck being awarded the Distinguished Achievement Award, the Outstanding Practitioner Award, or the Outstanding Service Award? Can you share with me a copy of the written criteria that the SAR considers for whatever award Dr. Beck will be receiving? Is there a monetary component to the award?

Thanks in advance and happy long weekend,

Justina

Justina Fugh | Director, Ethics Law Office | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Message

---

**From:** Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]  
**Sent:** 8/28/2018 10:30:23 AM  
**To:** Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]  
**CC:** Bolen, Derrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1ffc58b0468c4deca51a8bad735b7d95-Bolen, Derr]  
**Subject:** Fwd: SRA 2018 Fellows Award  
**Attachments:** BAI Travel Reimbursement Form.pdf; ATT00001.htm

Justina,  
Can I accept the coverage of travel/lodging expenses etc to accept this award?  
Thanks,  
Nancy.

\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT  
Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
P: 202-564-1273  
M: Ex. 6 - Personal Privacy  
beck.nancy@epa.gov

Begin forwarded message:

**From:** Jill Drupa <jdrupa@burkinc.com>  
**Date:** August 28, 2018 at 2:25:35 AM GMT+1  
**To:** "Beck, Nancy" <Beck.Nancy@epa.gov>  
**Cc:** Pamela Williams <pwilliams@erisksciences.com>, Terje Aven <terje.aven@uis.no>, Mary Lou Scarbrough <mscarbrough@burkinc.com>  
**Subject:** SRA 2018 Fellows Award

Dear Dr. Beck,

As you are aware, you have been awarded the **Society for Risk Analysis 2018 Fellows Award**, which is granted in recognition of your substantial achievement in science or public policy relating to risk analysis and substantial service to the Society. Congratulations!

The award will be presented at the SRA Annual Meeting at the awards luncheon on Tuesday, 4 December 2018, in New Orleans, Louisiana, USA. SRA President Terje Aven and President-Elect Katherine McComas will conduct the awards luncheon.

You can see the list of past awardees at: <http://www.sra.org/awards>.

*As an awardee, your transportation, lodging and registration expenses in connection with the SRA meeting will be covered by the SRA.*

**To Register** - please click [HERE](#). If you have already registered, please let us know and we can reimburse your registration fee. Please note, if you would like to take advantage of one of our

great Workshops, please register separately (and at your expense) [here](#). We have some new offerings this year.

**Lodging** - please email Mary Lou back with your arrival and departure dates, and SRA will put your room and tax charges on the master account at the [New Orleans Marriott](#).

**Transportation** - Please see the attached form to assist with transportation expenses. Please take care of your transportation and submit receipts electronically for reimbursement - the SRA typically reimburses about two weeks after the meeting and once receipts are received. If you require a different arrangement, please let us know.

If you have any questions, please contact **Mary Lou Scarbrough** at [mscarbrough@burkinc.com](mailto:mscarbrough@burkinc.com).

Please notify us of your acceptance of this award, and **please let us know about your hotel dates by emailing Mary Lou Scarbrough** ([mscarbrough@burkinc.com](mailto:mscarbrough@burkinc.com)).

Again, congratulations, and we look forward to seeing you soon.

Best regards,

Jill Drupa  
Director of Administration  
Society for Risk Analysis  
1313 Dolley Madison Boulevard  
Suite 402  
McLean, Virginia 22101  
[www.SRA.org](http://www.SRA.org)

# TRAVEL REQUEST/TRAVEL EXPENSE VOUCHER

1313 Dolley Madison Blvd, Suite 402  
McLean, VA 22101  
703 790 1745 (FAX: 703 790 2672)

Appr.: \_\_\_\_\_

Fnd. No.: \_\_\_\_\_

Ck. No.: \_\_\_\_\_

## TRAVEL POLICY

1. No travel shall be reimbursed without the prior written approval of the Executive Secretary.
2. Approved travel will be reimbursed on the basis of the most direct expeditious mode of travel.
  - A. **By air:** 14-21 day advance purchase is required. Lowest fare option should be used. Where possible, Saturday stopover should be booked. Up to \$20 is allowed for personal life insurance.
  - B. **By rail or bus:** Bus and rail transportation will be reimbursed. Costs resulting from use of rail or bus shall not exceed equivalent travel by air.
  - C. **Private auto:** When private autos are authorized, reimbursement will be made at the allowable IRS rate per mile for business use. Costs resulting from use of private vehicles shall not exceed equivalent travel by air.
3. The use of rental cars must have prior approval.
4. The actual cost of lodging shall not exceed the single room rate for economically reasonable accommodations. Reimbursement for meals shall be limited to \$50 per day and will be reimbursed on an itemized actual cost basis only. Appropriate receipts for accommodations and meals are to be attached to the travel voucher.
5. Miscellaneous costs such as taxi, limo, and telephone are allowed with an itemized listing of these costs with appropriate receipts attached. Personal expenses, such as laundry, valet and registration are not allowed.
6. When appropriate, charges should be adjusted on an equitable basis because of business for other than the Company.

## TRAVEL REQUEST

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Purpose of Trip: \_\_\_\_\_

Place, Date of Meeting: \_\_\_\_\_

Time, Date, Place and mode of departure: \_\_\_\_\_

Time, Date, Place and mode of return: \_\_\_\_\_

TOTAL ANTICIPATED COST \$ \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## TRAVEL REQUEST (Please itemize on reverse side)

|                                          |    |
|------------------------------------------|----|
| Costs of Transportation (receipts req'd) | \$ |
| Taxi (itemized)                          | \$ |
| Lodging (receipts required)              | \$ |
| Meals (receipts required)                | \$ |
| Miscellaneous (itemized; receipts req'd) | \$ |
| TOTAL                                    | \$ |

## TRAVEL PROCEDURES

- A. Submit Form for approval of Travel Request. Form will be returned to you.
- B. At completion of trip, re-submit Form for reimbursement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/18/2017 5:23:04 PM  
**To:** Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**Subject:** RE: here's a change of pace for you  
**Attachments:** Ground rules revised 9-2017.doc

Two things:

1)  
2)

## Ex. 5 - Deliberative Process

---

**From:** Griffo, Shannon  
**Sent:** Monday, September 18, 2017 12:22 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: here's a change of pace for you

## Ex. 5 - Deliberative Process

Shannon Griffo  
Ethics Attorney  
Office of General Counsel, Ethics  
U.S. Environmental Protection Agency  
(202) 564-7061  
[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)

---

**From:** Fugh, Justina  
**Sent:** Friday, September 15, 2017 12:12 PM  
**To:** Griffo, Shannon <[Griffo.Shannon@epa.gov](mailto:Griffo.Shannon@epa.gov)>  
**Subject:** here's a change of pace for you

Hi Shannon,

## Ex. 5 - Deliberative Process



# Ex. 5 - Deliberative Process

justina

---

**From:** Jackson, Ryan  
**Sent:** Friday, September 15, 2017 9:01 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Re: September 28 AOA Invitation

That's fine. Would you mind calling jay since it's on sept 28 and it's coming really soon?

---

Ryan Jackson  
Chief of Staff  
U.S. EPA  
(202) 564-6999

On Sep 13, 2017, at 2:48 PM, Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)> wrote:

Hi,

It appears to me to be a partisan political group that was founded in 2014 by Paul Singer. [REDACTED]

## Ex. 5 - Deliberative Process

**Ex. 5 - Deliberative Process**

But this is a partisan political group, so we need to be alert to all of the Hatch Act considerations, including the fact that they will have to pay for travel costs.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308  
North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004  
for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, September 13, 2017 2:19 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: September 28 AOA Invitation

We have been asked to speak at this, and I wanted to see what information you may need from the group. I'm not familiar with this group. However, Secretary Mnuchin spoke to them recently.

---

**From:** Jay Kramer [<mailto:jay@opportunityus.org>]  
**Sent:** Wednesday, September 13, 2017 12:55 PM

**To:** Jackson, Ryan <jackson.ryan@epa.gov>

**Subject:** Re: September 28 AOA Invitation

Ryan,

I'm sure you're slammed so I wanted to kick this to the top of your box. Let me know if you need anything else.

Thanks,

Jay

On 9/12/17, 9:24 PM, "Jay Kramer" <jay@opportunityus.org> wrote:

Ryan,

Per my conversation with Samantha, I'd like to formally extend an invitation for Administrator Pruitt to speak at our upcoming American Opportunity Alliance meeting. The meeting will be on Thursday, September 28 in New York. We plan to gather from 8:30 AM – 4:00 PM and welcome him at any point during this window. We hope that the Administrator could address his role in the administration, the accomplishments to date, as well as his views on the current landscape.

Look forward to hearing back from you.

Best,

Jay

----

Jay Kramer

Cell: Ex. 6 - Personal Privacy

Office: 703.260.7145

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON D.C., 20460

**GROUND RULES FOR PARTICIPATION IN A  
POLITICAL EVENT**

Your organization has invited a Presidentially-Appointed and Senate-confirmed appointee of the U.S. Environmental Protection Agency to speak at your event. EPA Ethics has determined that your organization and/or the event is partisan in nature. The Hatch Act, 5 U.S.C. §§ 7321-7326, sets forth certain restrictions that this employee must follow. He cannot use his official authority to further political activity; cannot solicit, accept or receive political contributions; and cannot solicit or discourage the political participation of anyone who has business pending before the Agency.

We ask that you review our ground rules carefully and ensure that they are followed. Failure to follow these rules may result in withdrawal of any approval to allow our employee to speak at your event.

- You must provide EPA with a copy of the invitation and any other public communications regarding the event before you distribute them so that our counsel can ensure compliance with federal rules.
- Once EPA agrees to the final version of the invitation or other public communications, you cannot make any subsequent changes to the text or format nor change the title of the electronic files.
- You must provide EPA with a complete description of the event, the proposed venue, any sponsors or affiliated entities, and a summary description of proposed invitees.
- You may not specifically target invitees with interests before the Agency. If EPA agrees to provide a speaker, you will provide a list of all invitees to EPA and their contact information at least 48 hours in advance of the event.
- When you issue your invitations, you will include this statement as part of the distribution:

PLEASE NOTE: The federal Hatch Act prohibits this speaker from soliciting or discouraging the political participation of any person who has an application for any compensation grant, contract, ruling, license, permit, or certificate pending before US EPA. If you or your company has any business pending before any part of EPA, we ask that you not attend this event.

Any questions regarding these rules should be directed to Justina Fugh, Senior Counsel for Ethics, at [fugh.justina@epa.gov](mailto:fugh.justina@epa.gov) or 202 564 1786.

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 10/13/2017 2:57:40 PM  
**To:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**Subject:** RE: ACC BOD meeting, 11/9, Kiawah Island, SC  
**Attachments:** Pruitt travel 10-4-17.pdf

Sure did! See attached!

---

**From:** Davis, Gail  
**Sent:** Friday, October 13, 2017 10:06 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: ACC BOD meeting, 11/9, Kiawah Island, SC

Sure, did you get a chance to approve the other one for Colorado Springs yet?

---

**From:** Fugh, Justina  
**Sent:** Friday, October 13, 2017 10:04 AM  
**To:** Davis, Gail <[Davis.Gail@epa.gov](mailto:Davis.Gail@epa.gov)>  
**Subject:** ACC BOD meeting, 11/9, Kiawah Island, SC

Hi Gail,  
Looks like we'll need you to do an ethics travel form for this event, please. THANKS!  
Justina

---

**From:** Ford, Hayley  
**Sent:** Thursday, October 12, 2017 1:39 PM  
**To:** Keith, Jennie <[Keith.Jennie@epa.gov](mailto:Keith.Jennie@epa.gov)>; Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Can you please approve both a) this speaking engagement request and b) a previous offer they made to secure his lodging for the night before?

Let me know if you need anything else. Thanks!

***Hayley Ford***  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Halsey, Holly [[mailto:Holly\\_Halsey@americanchemistry.com](mailto:Holly_Halsey@americanchemistry.com)]  
**Sent:** Thursday, October 12, 2017 11:05 AM  
**To:** scheduling <[scheduling@epa.gov](mailto:scheduling@epa.gov)>; Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>; Ford, Hayley

<ford.hayley@epa.gov>

Cc: Fleming, Edie <Edie\_Fleming@americanchemistry.com>; Zumwalt, Bryan

<Bryan\_Zumwalt@americanchemistry.com>

**Subject:** speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Good morning. Administrator Pruitt has been confirmed to speak at the American Chemistry Council's Annual Board of Directors meeting on November 9<sup>th</sup> in Kiawah Island, SC. Attached, please find the completed speaker form. If you have any questions, please contact Bryan Zumwalt at [Bryan\\_Zumwalt@americanchemistry.com](mailto:Bryan_Zumwalt@americanchemistry.com), 202-249-6200 (o), or Ex. 6 - Personal Privacy (c). Thank you.

**Holly Halsey** | American Chemistry Council  
Executive Assistant, Federal Affairs  
[holly\\_halsey@americanchemistry.com](mailto:holly_halsey@americanchemistry.com)  
700 2<sup>nd</sup> Street, NE | Washington, DC | 20002  
O: (202)249-6202 C: Ex. 6 - Personal Privacy  
[www.americanchemistry.com](http://www.americanchemistry.com)

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☐ for-profit
 ☒

Event Location

Colorado Springs, CO

Travel Starts

10/04/2017

Event Sponsor(s) ⓘ

Housing & Building Association of Colorado Springs

Your Role ⓘ

Travel Ends

Nature of Event ⓘ

DEO ⓘ

Justina Fugh

Employee Name

Scott Pruitt

Title

Administrator

Organization

OA

Phone Number

202-564-0000

Spousal expenses included

Who is the non-federal person(s) or entity(s) paying travel expenses? ⓘ

Name: Housing & Building Association of Colorado Springs

Address: 4585 Hilton Pkwy, Suite 100, COS, CO 80907

**Explain the interest of the source in the matters handled by your office.** If the source of the travel expenses is an organization, it may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on

The Housing & Building Association of Colorado Springs is a private, non-profit 501 (C) (6) corporation representing manufacturers, and myriad other housing-related professionals in the Colorado Springs area.

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*

Is this travel being paid through an EPA contract, Federal assistance agreement O R F E D E R A L G R A N T (including a recipient share)? *If "Yes", then acceptance of travel expenses cannot be approved* ⓘ

Are any of these sources otherwise affected by EPA matters in which you participate? *If "Yes," attach explanation (below).* ⓘ

Itemization of benefits ⓘ

Amount \$

Common carrier transportation

ticket, m

Meals

Lodging

Local transportation

Waiver of fees ⓘ

Other (specify)

(NOTE: For travel outside the United States, different rules may apply.)

Does this amount exceed the amount payable under Federal Travel Regulations?

Any other explanations or attachments ⓘ

estimate of room and taxes included. ( (\$330.00 room rate)

**Approving Official's Certification**

Approved By: Justina Fugh

Date:10/13/2017

☐ **Hold Pending Review**

**NOTE FROM APPROVING OFFICIAL :** approved orally in advance of trip.

**Additional Attachments / Explanations:**

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 10/13/2017 2:03:58 PM  
**To:** Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]  
**Subject:** ACC BOD meeting, 11/9, Kiawah Island, SC  
**Attachments:** EPA Administrator Pruitt Speaker Request Form.docx

Hi Gail,  
Looks like we'll need you to do an ethics travel form for this event, please. THANKS!  
Justina

---

**From:** Ford, Hayley  
**Sent:** Thursday, October 12, 2017 1:39 PM  
**To:** Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC


Can you please approve both a) this speaking engagement request and b) a previous offer they made to secure his lodging for the night before?

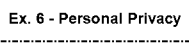
Let me know if you need anything else. Thanks!

**Hayley Ford**  
Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

---

**From:** Halsey, Holly [[mailto:Holly\\_Halsey@americanchemistry.com](mailto:Holly_Halsey@americanchemistry.com)]  
**Sent:** Thursday, October 12, 2017 11:05 AM  
**To:** scheduling <[scheduling@epa.gov](mailto:scheduling@epa.gov)>; Dickerson, Aaron <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>; Ford, Hayley <[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)>  
**Cc:** Fleming, Edie <[Edie\\_Fleming@americanchemistry.com](mailto:Edie_Fleming@americanchemistry.com)>; Zumwalt, Bryan <[Bryan\\_Zumwalt@americanchemistry.com](mailto:Bryan_Zumwalt@americanchemistry.com)>  
**Subject:** speaker request form - ACC BOD meeting, 11/9, Kiawah Island, SC

Good morning. Administrator Pruitt has been confirmed to speak at the American Chemistry Council's Annual Board of Directors meeting on November 9<sup>th</sup> in Kiawah Island, SC. Attached, please find the completed speaker form. If you have any questions, please contact Bryan Zumwalt at [Bryan\\_Zumwalt@americanchemistry.com](mailto:Bryan_Zumwalt@americanchemistry.com), 202-249-6200 (o), or  (c). Thank you.

**Holly Halsey** | American Chemistry Council  
Executive Assistant, Federal Affairs  
[holly\\_halsey@americanchemistry.com](mailto:holly_halsey@americanchemistry.com)  
700 2<sup>nd</sup> Street, NE | Washington, DC | 20002  
O: (202)249-6202 C:   
[www.americanchemistry.com](http://www.americanchemistry.com)



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# ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM

## U.S. Environmental Protection Agency

|                                                            |                                                                                                                                                                                                                                                  |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Deadline for Acceptance:</b>                            | Already confirmed                                                                                                                                                                                                                                |
| <b>Requesting Individual / Affiliation:</b>                | American Chemistry Council                                                                                                                                                                                                                       |
| <b>Event Title:</b>                                        | 14th Annual Chairman's Event and Board Meeting                                                                                                                                                                                                   |
| <b>Event Date:</b>                                         | Thursday, November 9 <sup>th</sup> at 9:15.                                                                                                                                                                                                      |
| <b>Is the Above Date Flexible:</b>                         | Yes, anytime between 9:15 – 11:30 am on November 9th                                                                                                                                                                                             |
| <b>Event Time &amp; Duration:</b>                          | ACC annual Board Meeting is on 11/9 from 9:15am to 11:45am                                                                                                                                                                                       |
| <b>Type of Event:</b>                                      | Annual Board Meeting                                                                                                                                                                                                                             |
| <b>Purpose of the Event:</b>                               | Annual Board Meeting and recognition of outgoing Chairman of the Board                                                                                                                                                                           |
| <b>Role of the Administrator:</b>                          | Speaking engagement                                                                                                                                                                                                                              |
| <b>Requested Presentation Topic, if Speaking Involved:</b> | Challenges of leading an organization like the EPA, the Agency's focus in the coming months, general thoughts on how TSCA implementation is going, the need for the EPA and industry to work together, and any other topics he'd like to discuss |
| <b>Requested Presentation Format:</b>                      | Keynote with Q&A                                                                                                                                                                                                                                 |
| <b>Speech/Presentation Duration:</b>                       | 30 Minutes give or take                                                                                                                                                                                                                          |
| <b>Would You Consider a Surrogate:</b>                     | no                                                                                                                                                                                                                                               |
| <b>Event Location:</b>                                     | The Sanctuary<br>Kiawah Island Golf Resort<br>Grand Oaks A ballroom<br>One Sanctuary Beach Drive<br>Kiawah Island, SC 29455                                                                                                                      |
| <b>Event Audience:</b>                                     | 45 board members and their staff, total in attendance 90                                                                                                                                                                                         |
| <b>Event Host(s)/Organizer(s):</b>                         | American Chemistry Council                                                                                                                                                                                                                       |
| <b>Host(s)' Relationship to EPA:</b>                       | n/a                                                                                                                                                                                                                                              |
| <b>Run of Show/ Agenda:</b>                                | Attached is a schedule of events                                                                                                                                                                                                                 |



## ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM U.S. Environmental Protection Agency

Is there a Hold Room Available for the Administrator?

We can make that available if needed

Open Press/Closed Press?

Closed

Dress Code:

Business Attire

Teleprompter Available:

No

Microphone / Room Setup:

Podium and microphone, or lavalier if requested

Honorable Guests Attending:

The Honorable Cal Dooley, President and CEO of ACC and former Member of Congress

Notable Federal, State or Local Appointed or Elected officials attending:

none

Individual Introducing Administrator:

Cal Dooley, President and CEO, ACC

Person to contact for media purposes:

Anne Kolton, [anne\\_kolton@americanchemistry.com](mailto:anne_kolton@americanchemistry.com)

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Is this event held Weekly, Monthly, Annually?

Annually

Day of Event Point of Contact:

Bryan Zumwalt, [bryan\\_zumwalt@americanchemistry.com](mailto:bryan_zumwalt@americanchemistry.com)

Ex. 6 - Personal Privacy

(cell)

Ex. 6 - Personal Privacy

Yvonne Johnstone | KIGR  
Director of Safety & Security  
Phone:

Ex. 6 - Personal Privacy

Security Contact:

[Yvonne\\_johnstone@kiawahresort.com](mailto:Yvonne_johnstone@kiawahresort.com)

Suggested Entrance/ Exit to Event Venue:

Will discuss with Administrator and/or his COS at the event

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):

no

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift?

no

Will a meal be provided, if so what is the US currency value?

No meal provided

Please return this form completed to [scheduling@epa.gov](mailto:scheduling@epa.gov) and Aaron Dickerson at [dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)

Page [ PAGE ] of [ NUMPAGES ]

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/6/2017 6:39:26 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Ethics Request: Delta Air Lines 9.29.17

Hayley,

Yes to this meeting at EPA in concept, but please note that the attendees are federally registered lobbyists. This means that the Administrator cannot accept any gifts from them AT ALL (not a pen, a little airplane, a t-shirt, etc.). Anything they give him will have to be returned, so it's best to alert them up front not to come bearing gifts.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley  
**Sent:** Wednesday, September 06, 2017 2:23 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Ethics Request: Delta Air Lines 9.29.17

Another for you! This would be a 45 minute meeting at the EPA. Thanks!

***Hayley Ford***

Deputy White House Liaison  
Office of the Administrator  
Environmental Protection Agency  
Room: 3309C William Jefferson Clinton North  
[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)  
Phone: 202-564-2022  
Cell: 202-306-1296

Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/8/2017 1:18:42 PM  
**To:** Dalzell, Sally [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e29f0da5e0fc481fa287a2e5503f8d97-Sdalzell]  
**CC:** Hunt, Stuart [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb5315dc1541460a99d94766cadfd624-shunt03]; Leff, Karin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=23e82b63cf414e5e94b609da277de6c4-Kleff]; McEaddy, Monica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=01770063a90b486c9c42d49946ca459d-MMCEADDY]  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Oh, no worries, Sally. You're always so nice and it was actually a pretty easy question.

**From:** Dalzell, Sally  
**Sent:** Monday, August 07, 2017 4:13 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Justina:

Thank you so much for your help.

I will try to ask for ethics help more in advance next time.

Sally

Sally M. Dalzell, Senior Counsel  
Federal Facilities Enforcement Office, 2261A  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, N.W.  
Washington, D.C. 20004  
(202)564-2583  
(202) 501-0069 (fax)  
<http://www.fedcenter.gov>

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**From:** Fugh, Justina  
**Sent:** Monday, August 07, 2017 4:10 PM  
**To:** Dalzell, Sally <Dalzell.Sally@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Hi Sally,

Okay, here's your advice: OKAY TO ATTEND RECEPTION! It will either be under \$20 per person or can be called a widely attended gathering because there is a diversity of interests present and I determine that there is an agency interest in your and the other EPA employees' attendance. And okay to eat the boxed lunches, etc. but be sure not claim per diem for those meals.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Dalzell, Sally  
**Sent:** Monday, August 07, 2017 4:02 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Sorry, Justina for being unclear or incomplete.

I will try to answer your questions below.

Sally M. Dalzell, Senior Counsel  
Federal Facilities Enforcement Office, 2261A  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, N.W.  
Washington, D.C. 20004  
(202)564-2583  
(202) 501-0069 (fax)  
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**From:** Fugh, Justina

**Sent:** Monday, August 07, 2017 3:50 PM

**To:** Dalzell, Sally <Dalzell.Sally@epa.gov>

**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>

**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Hi Sally,

I don't have sufficient information to make an ethics determination. You wonder whether you and other EPA employees may attend a reception, but you don't tell me how many people will be in attendance, what interests they represent, or who is sponsoring the event. Plus, I saw that Patrick Davis may attend, and he signed the Trump Ethics Pledge, so the answer for him may be different from the answer for the rest of you, depending on who is sponsoring the event. If the sponsor is a federally registered lobbyist, then he can't attend the reception at all. So, who is sponsoring the event? Is there a fee associated with the reception or for drinks? I do not know who is sponsoring the event. I assume it's ECOS and I will ask right now. It could be the local government. There is NO fee associated with the food, but there is a cash bar and we will have to pay for any drinks we consume so I know the drink part is fine.

Question 1: So, if not many people attend to provide a diversity of views, should EPA attendees pay for the reception since it is likely it would not be widely attended?

JUSTINA: I don't know how you've concluded it's not widely attended. I don't have enough information to make that determination. That said, if EPA people pay for their food/beverages, then it's not a gift at all. I should not have concluded that it's not a widely attended gathering. I thought that, last time, we needed a number of local people to make it diverse. I am attaching the list of attendees (other than the local people) to try to help.

Question 1.a. If we are surprised and many local people attend so that it is considered a widely attended gathering, may we have OGC's permission to accept the reception assuming it's \$20/person or less?

JUSTINA: It's not just a matter of numbers but also a question of the diversity of interests. If there are least 20 people present, then I may still be able to conclude that there is a diversity of interests, but only if I know what type of people are attending (feds and who else?). There should be over 40 people in attendance from EPA, DOE, states, and ECOS. Please see attendee list attached above.

Question 2: ECOS (with grant from DOE) is providing optional breakfast on Wednesday (boxed breakfast on bus when we ride to Los Alamos for a tour) and Thursday before the start of the meeting and a working lunch on Thursday. Does EPA have to pay for the optional breakfasts (if EPA attendee participates) and the working lunch on Thursday?

JUSTINA: I don't have a gift issue because the source of the funds is a federal grant. So from the EPA diners' perspective, you can accept the food because it is provided through a federal grant. The problem is for DOE and concerns whether they can permit the use of their grant money to pay for other feds' meals). But you as an EPA traveler can't also claim per diem for those meals that you accept. Also know that I can't use the ethics travel authority to accept expenses or meals that are paid for with federal grant money. So, we can accept the food, but can't charge per diem for the food we accept. Is that correct?

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772



**From:** Dalzell, Sally  
**Sent:** Monday, August 07, 2017 11:31 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

Justina:

I am so sorry for this last minute question.

Tomorrow, several EPA employees fly to New Mexico for another meeting of the DOE/EPA/ECOS Dialogue.

Attached is the agenda for the DOE/EPA/ECOS and States meeting to be held this week on Wednesday and Thursday.

In February 2017, I participated in a similar meeting in Oak Ridge, TN. As you may recall, upon my return (due to my failure to consider ethics implications ahead-of-time), we asked your and Stuart's advice on the acceptance of meals and a reception.

Like last time in Oakridge, TN, there is a planned reception, but, unlike last time, the reception does NOT appear on the agenda. However, I know it is supposed to take place on Wednesday evening at our hotel.

I just checked my e-mails from our last trip in February for the DOE Dialogue meeting (Stuart is on vacation).

In your e-mail from February 2017, you advised that **we are to get written pre-approval to attend what might be a widely attended gathering** this Wednesday, August 9 in Santa Fe., New Mexico. At the reception in Oak Ridge, there were a large number of local government representatives, states, ECOS, and EPA.

Unlike at Oakridge, it's very possible, that not very many local government people will show up. Thus, it would likely not meet the definition of widely attended gathering.

Question 1: So, if not many people attend to provide a diversity of views, should EPA attendees pay for the reception since it is likely it would not be widely attended?

Question 1.a. If we are surprised and many local people attend so that it is considered a widely attended gathering, may we have OGC's permission to accept the reception assuming it's \$20/person or less?

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I assume the answer to both of my questions is yes and I would pay by check. Please confirm and I am sorry for putting you in the position of a such a quick response.

Sally

Sally M. Dalzell, Senior Counsel  
Federal Facilities Enforcement Office, 2261A  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, N.W.  
Washington, D.C. 20004  
(202)564-2583  
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Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 8/7/2017 7:49:49 PM  
**To:** Dalzell, Sally [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e29f0da5e0fc481fa287a2e5503f8d97-Sdalzell]  
**CC:** Hunt, Stuart [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cb5315dc1541460a99d94766cadfd624-shunt03]; Leff, Karin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=23e82b63cf414e5e94b609da277de6c4-Kleff]; McEaddy, Monica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=01770063a90b486c9c42d49946ca459d-MMCEADDY]  
**Subject:** RE: Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

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Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Dalzell, Sally  
**Sent:** Monday, August 07, 2017 11:31 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hunt, Stuart <Hunt.Stuart@epa.gov>; Leff, Karin <Leff.Karin@epa.gov>; McEaddy, Monica <McEaddy.Monica@epa.gov>  
**Subject:** Approval to attend Widely Attended Gathering on Wednesday plus 2 Associated Questions

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and a working lunch on Thursday. Does EPA have to pay for the optional breakfasts (if EPA attendee participates) and the working lunch on Thursday?

I assume the answer to both of my questions is yes and I would pay by check. Please confirm and I am sorry for putting you in the position of a such a quick response.

Sally

Sally M. Dalzell, Senior Counsel  
Federal Facilities Enforcement Office, 2261A  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, N.W.  
Washington, D.C. 20004  
(202)564-2583  
(202) 501-0069 (fax)  
<http://www.fedcenter.gov>

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Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/15/2017 9:01:44 PM  
**To:** Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]  
**CC:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: Ethics Approval: BP Board of Directors/National Gallery of Art

Hi Hayley,

Jennie will be returning to work (telework) on Monday, so she will get back to you on this one. I'M SO HAPPY to have her back, even for a couple of hours a day!

Cheers,

justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Ford, Hayley  
**Sent:** Friday, September 15, 2017 4:08 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Keith, Jennie <Keith.Jennie@epa.gov>  
**Subject:** Ethics Approval: BP Board of Directors/National Gallery of Art

Hello Justina,

Can you please review this event request for the Administrator?

Thank you!

***Hayley Ford***

Deputy White House Liaison

Office of the Administrator

Environmental Protection Agency

Room: 3309C William Jefferson Clinton North

[ford.hayley@epa.gov](mailto:ford.hayley@epa.gov)

Phone: 202-564-2022

Cell: 202-306-1296

Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 9/15/2017 4:12:02 PM  
**To:** Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]  
**Subject:** here's a change of pace for you  
**Attachments:** HOW TO CALCULATE POLITICAL TRAVEL.doc; HOW TO REVIEW POLITICAL INVITATIONS.doc; Ground rules.doc

Hi Shannon,

# Ex. 5 - Deliberative Process

justina

---

**From:** Jackson, Ryan  
**Sent:** Friday, September 15, 2017 9:01 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: September 28 AOA Invitation

That's fine. Would you mind calling jay since it's on sept 28 and it's coming really soon?

---

Ryan Jackson  
Chief of Staff  
U.S. EPA

Ex. 6 - Personal Privacy

On Sep 13, 2017, at 2:48 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi,

It appears to me to be a partisan political group that was founded in 2014 by Paul Singer.

## Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

But this is a partisan political group, so we

need to be alert to all of the Hatch Act considerations, including the fact that they will have to pay for travel costs.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Jackson, Ryan  
**Sent:** Wednesday, September 13, 2017 2:19 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** FW: September 28 AOA Invitation

We have been asked to speak at this, and I wanted to see what information you may need from the group. I'm not familiar with this group. However, Secretary Mnuchin spoke to them recently.

---

**From:** Jay Kramer [<mailto:jay@opportunityus.org>]  
**Sent:** Wednesday, September 13, 2017 12:55 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>  
**Subject:** Re: September 28 AOA Invitation

Ryan,

I'm sure you're slammed so I wanted to kick this to the top of your box. Let me know if you need anything else.

Thanks,  
Jay

On 9/12/17, 9:24 PM, "Jay Kramer" <[jay@opportunityus.org](mailto:jay@opportunityus.org)> wrote:

Ryan,

Per my conversation with Samantha, I'd like to formally extend an invitation for Administrator Pruitt to speak at our upcoming American Opportunity Alliance meeting. The meeting will be on Thursday, September 28 in New York. We plan to gather from 8:30 AM – 4:00 PM and welcome him at any point during this window. We hope that the Administrator could address his role in the administration, the accomplishments to date, as well as his views on the current landscape.

Look forward to hearing back from you.

Best,  
Jay

----

Jay Kramer  
Cell: Ex. 6 - Personal Privacy  
Office: 703.260.7145

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**“POLITICAL” TRAVEL:  
HOW TO CALCULATE AND COLLECT PAYMENT  
ASSOCIATED WITH POLITICAL EVENTS**

Under the Hatch Act, 5 U.S.C. §§ 7321-7326, PAS appointees are permitted to participate in partisan political activity while on government time and in government facilities. However, they cannot use their EPA official authority, including titles, in connection with the political activity. They cannot fundraise and cannot directly solicit or discourage the political participation of any person who has business pending before EPA. They cannot direct subordinates to assist them nor can they accept the volunteer political activity services of subordinates. The Hatch Act prohibits use of federal appropriated dollars to pay for any travel costs associated with political activity. This guidance will help you to know what travel expenses EPA can – and cannot – cover.

Who is a PAS appointee?

EPA has 14 PAS positions, who are **P**residential **A**ppointees confirmed by the Senate. They are the Administrator, the Deputy Administrator, the General Counsel, the Inspector General, the Chief Financial Officer, and the nine Assistant Administrators.

What is “political” travel?

As a general rule, travel by senior Administration officials is considered “political” if the primary purpose involves their positions as leaders of their political party. Travel is considered “political” when the PAS appointee is appearing at partisan political events, including conferences, political party functions, campaigning for specific candidates or attending a fundraiser (though never with reference to official position). For the purposes of this guidance, “political travel” includes local trips and trips beyond the 50-mile duty station radius. EPA funds cannot be used to pay for political travel.

Who pays for political travel?

In all cases, political travel must be paid for by the political entity.

What is not “political” travel?

Speeches to groups in support of Administration positions, whether or not related to environmental subjects, are generally considered “official” in nature. A speech before a non-partisan group, such as a Chamber of Commerce, is not partisan or political in nature if it contains no express advocacy and no direction that a particular political party’s candidates should be supported in an election campaign.

To what extent can non-PAS staff assist the PASer with political activity and travel?

Only PAS appointees can engage in political activity during normal duty hours or on government premises.

The Hatch Act permits EPA staff to provide services to the PAS appointee only to the extent that those services are ordinarily provided by them as part of their official duties and only so long as the work is purely official and not political in any way. For example, a security detail may

accompany the Administrator, even to political event, so long as the detail is providing security and not actually participating in the political activity. EPA must pay the security detail's travel.

Similarly, an administrative assistant may prepare the travel and itinerary associated with a political trip even if the PAS employee is engaged in political activity or a mix of official and political activity. EPA staff may also prepare briefing materials associated with official Administration activities as part of their government duties, even if such materials might be included in partisan statements.

EPA staff may not, however, use duty time to prepare materials that will be used solely for "political" purposes, such as platform materials or other statements of "political" advocacy, nor can they volunteer their off-duty time to assist any EPA PAS official. The Hatch Act prohibits PAS employees from accepting volunteer political services from subordinates.

Who determines whether a trip is "political" or "official" in nature?

OGC/Ethics makes this determination. Among the factors that OGC will take into consideration are: (1) the sponsor of the event, (2) the group or organization being addressed, (3) other participants, and (4) whether the speech is partisan and political in nature or whether it is a factual presentation or defense of the Administration's position on the issues.

Can a trip contain both "political" and "official" elements?

Yes, but OGC/Ethics must work with the PASer's staff to apportion the costs between EPA and the political sponsor. EPA travel funds CANNOT be used for political travel!

How does EPA apportion the costs of a trip?

When events involve a mix of political and official travel, then OGC/Ethics works with the PASer's travel staff to identify all travel costs and applies the following "hard-time formula" to determine which costs are associated with political activity and which costs are associated with official duty:

|                                                         |   |                                                             |   |                                         |
|---------------------------------------------------------|---|-------------------------------------------------------------|---|-----------------------------------------|
| Time spent in<br>official meetings,<br>receptions, etc. | + | Time spent in<br>political meetings,<br>receptions, rallies | = | Total<br>activity<br>time               |
| <u>Time spent in official activity</u>                  |   |                                                             | = | Percentage of trip<br>that is official  |
| Total activity time                                     |   |                                                             |   |                                         |
| <u>Time spent in political activity</u>                 |   |                                                             | = | Percentage of trip<br>that is political |
| Total activity time                                     |   |                                                             |   |                                         |

[ PAGE \\* MERGEFORMAT ]

EXAMPLE: A PAS employee travels to Chicago and spends 3 hours on official business in the regional office, and then spends 2 hours on political activity. EPA should pay 3/5ths of the total cost of the trip while the political sponsor pays 2/5ths of the total costs.

NOTE: In a presidential election, however, then the campaign will pay for ALL of the costs using the “hypothetical” formula instead of the “hard time” formula.

#### HELPFUL HINTS:

- ⇒ Do not apply the “hard time” allocation to expenses that are solely one type or another.
  - An expense to rent a sound system for a political event must be paid in its entirety by the political sponsor. Similarly, a registration fee to attend a conference in official capacity must be paid in its entirety by the Agency.
- ⇒ In allocating costs other than air travel (e.g., lodging or per diem), use the government maximum for that type of expense.
  - If a mixed trip is 50% official and 50% political, and the government per diem rate is \$140, then the maximum per diem expense chargeable to the government is 50% of \$140, not 50% of the actual cost.
- ⇒ Any questions should be resolved in favor of charging EPA less and the political sponsor more.

What is the process for seeking and receiving payment from a political sponsor?

1) The PAS travel coordinator and/or administrative staff must consult OGC/Ethics to determine whether the trip is political, official or mixed. This determination must be made by OGC/Ethics in writing.

2) OGC/Ethics verifies with the scheduling staff and the political sponsor that the political sponsor understands it will be paying for all political travel. A copy of this correspondence must be included in the official travel record.

3) EPA makes all travel arrangements, prepares the travel authorization (TA), and arranges for EPA to pay the travel expenses. In this way, the Agency maintains control over the PAS appointee’s schedule and ensures that s/he is eligible for city pair fares and the government rate, and gets refundable tickets in the event of a change in reservations.

The TA must include a statement that the PAS appointee is traveling for a political purpose or a mixed political purpose and that the political sponsor will be paying for all political travel expenses. In this way, EPA’s Finance Center is alerted to the fact that it will pay the PAS appointee for the travel using EPA funds, but that EPA will obtain reimbursement from a third-party. When the payment arrives, EPA will be able to accept the money directly. It will not need to go to the US Treasury for miscellaneous receipts.

[ PAGE \\* MERGEFORMAT ]

4) The PAS travel coordinator, the PAS scheduling staff and OGC/Ethics review the planned itinerary to identify all politically-related travel costs and to approximate the time spent in

political activity. The PAS travel coordinator, in consultation with OGC/Ethics, prepares the travel record.

5) Upon return from the trip, the PAS employee provides all receipts to the PAS travel coordinator to prepare the travel voucher. The voucher must include a statement that the PAS employee traveled for a political purpose or a mixed political purpose and that the political sponsor will be paying for all political travel expenses.

6) OGC/Ethics calculates the political expenses. For mixed political and official trips, OGC/Ethics calculates the hard-time allocation. The PAS travel coordinator includes the completed "event worksheet" in the official travel record.

7) OGC/Ethics writes to the political sponsor for payment in the form of a check made out to US EPA. The check must be sent to the PAS travel coordinator. Upon receipt, the PAS travel coordinator verifies that the amount received is at least the same as the amount requested, then notifies OGC/Ethics that the reimbursement has arrived. The PAS travel coordinator writes the DCN number and TA number on the check and sends it to Finance so that the EPA travel budget can be reimbursed. A copy of the check must be included with the official travel record.

[ PAGE \\* MERGEFORMAT ]

## HOW TO REVIEW POLITICAL INVITATIONS IN ACCORDANCE WITH THE HATCH ACT

The Hatch Act, 5 U.S.C. ' ' 7321-7326, regulates the political activities of federal employees in the Executive Branch of the Federal government. A Political activity@ is defined as an activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. Under the Hatch Act, most employees cannot participate in partisan political activity while on government time and in government facilities. However, this rule is different for PAS employees. This guidance will help you to know what the PAS employees can B and cannot B do.

### Who is a PAS appointee?

EPA has 14 PAS positions, who are **P**residential **A**ppointees confirmed by the Senate. They are the Administrator, the Deputy Administrator, the General Counsel, the Inspector General, the Chief Financial Officer, and the nine Assistant Administrators.

### What are all employees prohibited from doing under the Hatch Act?

There are several things that no employee, including PASers, should do:

- (1) Don=t use your official authority or influence to interfere with or affect an election. Don=t use your official title while participating in political activity and don=t use your authority to coerce anyone to participate in political activity. Importantly, you can=t solicit, accept or receive uncompensated volunteer services from any subordinate for any political purpose;
- (2) Don=t fundraise, even in your private capacity. You can=t even let your name be used as the host of fundraiser. You can=t solicit political contributions in a speech or address at a fundraiser, and you can=t let your official title be used in connection with a fundraiser. You also can=t solicit, accept or receive volunteer services from an EPA subordinate;
- (3) Don=t run for partisan public office; and
- (4) Don=t solicit or discourage political activity from any person who is doing business with the Agency. This includes any person who has an application for any compensation grant, contract, ruling, license, permit, or certificate pending in your office. It also includes any person who is the subject of an investigation, audit or enforcement action in your office. For PAS appointees, this description can include a lot of people!

### How are PASers special under the Hatch Act?

Unlike most employees, EPA=s fourteen PASers can participate in political activity while on duty, on government premises, in a government vehicle, and while wearing the EPA badge. But only they can do so and only with each other. The rest of the EPA employees, including Schedule Cs and non-career SESers cannot.

### The ASecret Service@ exception

In limited cases, the Hatch Act nevertheless allows staff to assist the PAS consistent with their official duty. For example, a security detail may accompany the Administrator, even to a political event, so long as they are providing security and not himself participating in the political activity. Similarly, an administrative assistant may prepare the travel and itinerary associated with a political trip even if the Administrator is engaged in political activity or a mix of official and political activity.

But this exception should not be broadened to include speech writing or any Aextra@ voluntary service!

### What happens if an EPA PAS is invited to a political event?

1) The Scheduling Staff for the PAS should **examine the invitation** to determine who issued the invitation to the PAS employee and whether it is indeed for a political event.

| Clues: is the invitation from a campaign committee to elect someone? Is the event called a Arally@ or a Afundraiser@ or does it use words like Aget out the vote?@

2) The Scheduling Staff should **send a copy of the invitation to OGC/Ethics** for review and confirmation as to whether it is indeed a political event.

3) If the event is political, then the Scheduling Staff must do the following:

\$ send the requestor the EPA=s Aground rules@ about political events

\$ ask questions about the event:

| who is the host of the event?

| are there any co-sponsors?

| where will the event be held?

| who are the anticipated invitees to the event?

| how many people are expected to attend?

| what is the anticipated role of the EPA PAS at the event?

\$ identify a contact person on the Scheduling Staff to work with OGC

\$ identify a contact person on the requestor=s staff to talk to OGC

\$ do not confirm attendance until the event is cleared, in writing (by email), by OGC

NOTE: An employee with Agency-wide responsibility may address a large, diverse group to seek support for a partisan political candidate so long as the group has not been specifically targeted as having matters before the employing office. 5 CFR 734.305.

| An example of a permitted activity: the Administrator may speak on behalf of a partisan candidate at a forum sponsored by the League of Women Voters that is expected to have more than 100 people attend. However, he cannot use his

official title and cannot solicit funds for the candidate in his speech. He also should not say that the candidate is endorsed by the US EPA.

| An example of a prohibited activity: the Administrator will not be permitted to speak at an event that is sponsored by an environmental law firm for its clients to be held in the law firm=s offices.

| OGC will examine closely where the event is to be held and the sponsors and hosts. Scrutiny will be applied to certain entities, including lobbying organizations, law firms, for-profit and not-for-profit entities that have an environmental focus, and trade associations.

4) If the event is cleared, then the Scheduling Staff can confirm attendance, subject to the EPA=s ground rules. The Scheduling Staff should now:

- \$ obtain a list of all of the invitees and send that list to OGC
- \$ obtain copies of all of the invitations and send to OGC for review of the format
- \$ talk to the PAS travel coordinator and OGC about payment for any political travel
- \$ reaffirm to the PAS that s/he cannot accept any volunteer services, including speeches
- \$ provide the PAS with the EPA=s ground rules as part of her/his briefing package



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON D.C., 20460

## GROUND RULES FOR PARTICIPATION IN A POLITICAL EVENT

Your campaign has invited a Presidentially-Appointed and Senate-confirmed appointee of the U.S. Environmental Protection Agency to speak at your political event. The Hatch Act, 5 U.S.C. §§ 7321-7326, sets forth certain restrictions that this employee must follow. She cannot use her official authority to further political activity; cannot solicit, accept or receive political contributions; and cannot solicit or discourage the political participation of anyone who has business pending before the Agency.

We ask that you review our ground rules carefully and ensure that they are followed. Failure to follow these rules may result in withdrawal of any approval to allow our employee to speak at your event.

- You must provide EPA with a copy of the invitation and any other public communications regarding the event before you may distribute them so that our counsel can ensure compliance with federal rules.
- Once EPA agrees to the final version of the invitation or other public communications, you cannot make any subsequent changes to the text or format nor change the title of the electronic files.
- You must provide EPA with a complete description of the event, the proposed venue, any sponsors or affiliated entities, and a summary description of proposed invitees.
- You may not specifically target invitees with interests before the Agency. If EPA agrees to provide a speaker, you will provide a list of all invitees to EPA and their contact information at least 48 hours in advance of the event.
- When you issue your invitations, you will include this statement as part of the distribution:

PLEASE NOTE: The federal Hatch Act prohibits this speaker from soliciting or discouraging the political participation of any person who has an application for any compensation grant, contract, ruling, license, permit, or certificate pending before US EPA. If you or your company has any business pending before any part of EPA, we ask that you not attend this event.

Any questions regarding these rules should be directed to Justina Fugh, Senior Counsel for Ethics, at [fugh.justina@epa.gov](mailto:fugh.justina@epa.gov) or 202 564 1786.



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 7/24/2017 6:25:18 PM  
**To:** Morris, Madeline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f42c86b4a2044779972ac94e098f0304-Morris, Mad]  
**Subject:** RE: Admin. Pruitt - speaking in Beaver Creek

Hi Maddy,

We have no ethics issues to raise with his doing this speech as part of his official duty. The sponsor is not itself a federally registered lobbyist.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Morris, Madeline  
**Sent:** Monday, July 24, 2017 1:08 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** FW: Admin. Pruitt - speaking in Beaver Creek  
**Importance:** High

Could you look at this request for a speaking event next week? Thanks!

---

**From:** Brian Fakharzadeh [<mailto:bfakharzadeh@westernenergyalliance.org>]  
**Sent:** Monday, July 24, 2017 10:17 AM  
**To:** Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)>  
**Subject:** RE: Admin. Pruitt - speaking in Beaver Creek  
**Importance:** High

Good morning Madeline,

I've attached the form you sent, as well as the original form from the scheduling office (it has similar information, though a little more). I didn't make any changes to that original form, though there are a couple pieces that could be updated (Secretary Zinke, for example, won't be attending but Vincent DeVito will be in his place).

Thank you, and let me know next steps when you have them.

Brian Fakharzadeh

Vice President of Development and Operations  
Western Energy Alliance  
1775 Sherman Street, Ste. 2700  
Denver, CO 80203  
303-501-1063 Direct  
303-623-0987 Main

[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)

\*\*\*\*\*

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**From:** Morris, Madeline [<mailto:morris.madeline@epa.gov>]  
**Sent:** Friday, July 21, 2017 1:54 PM  
**To:** Brian Fakharzadeh <[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)>  
**Subject:** RE: Admin. Pruitt - speaking in Beaver Creek

Hi Brian,

I think we are getting closer to locking in Administrator Pruitt to come speak on Wednesday night. Do you mind filling out the attached form so we can run it by ethics?

Appreciate your help!

Best,  
Maddy

---

**From:** Brian Fakharzadeh [<mailto:bfakharzadeh@westernenergyalliance.org>]  
**Sent:** Thursday, July 20, 2017 11:28 AM  
**To:** Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)>  
**Subject:** RE: Admin. Pruitt - speaking in Beaver Creek

Good morning Madeline,

I thought I would send along our agenda, if that helps sort things out at all. As I mentioned on the phone, the only time slot I really don't have much flexibility on is 9 am, as Vincent DeVito needs to leave shortly after speaking.

If it's convenient for Administrator Pruitt to speak either during the dinner on August 2<sup>nd</sup>, or during the breakfast or lunch on August 3<sup>rd</sup>, those are certainly possibilities (neither has a speaker listed as you'll note, which is why I felt it important to bring up). I'm happy to shuffle just about anything around to accommodate, though I do need to get our program printed Monday of next week, so knowing a firm time sooner would be extremely helpful if possible.

If there's anything at all I can do to help accommodate please don't hesitate to ask.

Best,

Brian Fakharzadeh

Vice President of Development and Operations  
Western Energy Alliance  
1775 Sherman Street, Ste. 2700  
Denver, CO 80203  
303-501-1063 Direct  
303-623-0987 Main

[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)

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**From:** Morris, Madeline [<mailto:morris.madeline@epa.gov>]  
**Sent:** Tuesday, July 18, 2017 1:50 PM  
**To:** Gina Brooke <[gbrooke@westernenergyalliance.org](mailto:gbrooke@westernenergyalliance.org)>; Brian Fakharzadeh <[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)>  
**Subject:** RE: Admin. Pruitt - speaking in Beaver Creek

Just a list would be great.

---

**From:** Gina Brooke [<mailto:gbrooke@westernenergyalliance.org>]  
**Sent:** Tuesday, July 18, 2017 3:46 PM  
**To:** Brian Fakharzadeh <[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)>; Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)>  
**Subject:** RE: Admin. Pruitt - speaking in Beaver Creek

Hi Madeline,  
What information do you need on our each attendee?  
Thanks,

*Gina Brooke*

Manager of Administration & Events, Western Energy Alliance

1775 Sherman Street, Suite 2700  
Denver, CO 80203  
office: (303) 623-0987, ext. 238  
direct: (303) 501-1065  
fax: (303) 893-0709  
[gmateo@westernenergyalliance.org](mailto:gmateo@westernenergyalliance.org)

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**From:** Brian Fakharzadeh  
**Sent:** Tuesday, July 18, 2017 1:44 PM  
**To:** Morris, Madeline  
**Cc:** Gina Brooke  
**Subject:** Re: Admin. Pruitt - speaking in Beaver Creek

Madeline,

Thanks for reaching out. I've copied gina here who can get you a registrant list for the annual meeting, for the Administrator's office to review. I'm staying cautiously optimistic that he'll be able to attend.

Best,

Brian Fakharzadeh  
VP, Development and Operations  
Western Energy Alliance

303.623.0987 | office main  
Ex. 6 - Personal Privacy | cell

[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)

On Jul 18, 2017, at 1:36 PM, Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)> wrote:

Thanks for taking my call, appreciate your help.

---

**From:** Brian Fakharzadeh [<mailto:bfakharzadeh@westernenergyalliance.org>]  
**Sent:** Monday, July 17, 2017 6:17 PM  
**To:** Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Cc:** Morris, Madeline <[morris.madeline@epa.gov](mailto:morris.madeline@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>  
**Subject:** Re: Admin. Pruitt - speaking in Beaver Creek

Let me know exactly what is needed. Reception starts at 6pm, dinner starts at 7. Ideally Administrator Pruitt speaks at 7:30, give or take.

Brian Fakharzadeh  
VP, Development and Operations  
Western Energy Alliance

303.623.0987 | office main  
Ex. 6 - Personal Privacy | cell

[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)

On Jul 17, 2017, at 3:57 PM, Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)> wrote:

Hi Brian,

I am connecting you with the Administrators scheduler to work out details for him to possibly keynote the dinner on the evening of August 2<sup>nd</sup>.

Have a terrific evening,

Christian R. Palich  
*Deputy Associate Administrator*  
*Office of Congressional & Intergovernmental Affairs*  
*U.S Environmental Protection Agency*  
*O: 202.564.4944*

C: Ex. 6 - Personal Privacy

E: [Palich.Christian@epa.gov](mailto:Palich.Christian@epa.gov)

---

**From:** Brian Fakharzadeh [<mailto:bfakharzadeh@westernenergyalliance.org>]  
**Sent:** Monday, July 17, 2017 5:35 PM  
**To:** Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** Re: Admin. Pruitt - speaking in Beaver Creek

That would be awesome! Just let me know

Thanks!

Brian Fakharzadeh  
VP, Development and Operations  
Western Energy Alliance

303.623.0987 | office main

Ex. 6 - Personal Privacy | cell

[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)

On Jul 17, 2017, at 3:33 PM, Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)> wrote:

Hi Brian,

I will be in touch early tomorrow, but I believe we might be able to make the night of August 2<sup>nd</sup> work now. I am attempting to work with our team tonight.

Best Regards,

Christian R. Palich  
*Deputy Associate Administrator*  
*Office of Congressional & Intergovernmental Affairs*  
*U.S Environmental Protection Agency*  
O: 202.564.4944

C: Ex. 6 - Personal Privacy

E: [Palich.Christian@epa.gov](mailto:Palich.Christian@epa.gov)

---

**From:** Brian Fakharzadeh  
[<mailto:bfakharzadeh@westernenergyalliance.org>]  
**Sent:** Wednesday, July 12, 2017 5:25 PM  
**To:** Palich, Christian <[palich.christian@epa.gov](mailto:palich.christian@epa.gov)>  
**Subject:** Admin. Pruitt - speaking in Beaver Creek  
**Importance:** High

Christian,

It was nice speaking with you, and I'm thrilled that it looks like Administrator Pruitt will be able to join us.

As I mentioned, the event is at the Park Hyatt Beaver Creek (address below in red), August 2<sup>nd</sup> and 3<sup>rd</sup>. I can make accommodations for him to speak either at the opening dinner on the 2<sup>nd</sup> (which would be approximately at 6:30 or 7:00pm), or a better option would be as the keynote speaker on August 3<sup>rd</sup>. The timeslots I have open on the 3<sup>rd</sup> are 10:15, 11:15, 12:30 (during lunch) or 1:30. Honestly, whatever works best with his schedule, we are happy to accommodate.

If this looks like it's going to move forward, please send a headshot and bio so we can include it in our program, as well as his preferred speaking time-slot. Additionally, I need to know if we will need to coordinate with the hotel for any security needs, etc. (we have Senators all the time, but not necessarily appointed officials with this level of visibility, so I'm unsure of protocol).

I look forward to hearing from you, and am hopeful that this will work out. Our thanks and gratitude to Administrator Pruitt (and all of you in his office who have helped with this) for the consideration.

PARK HYATT BEAVER CREEK RESORT AND SPA 136 East Thomas Place  
Beaver Creek, Colorado, USA, 81620-1595

Best,

Brian Fakharzadeh

Vice President of Development and Operations  
Western Energy Alliance  
1775 Sherman Street, Ste. 2700  
Denver, CO 80203  
303-501-1063 Direct  
303-623-0987 Main

[bfakharzadeh@westernenergyalliance.org](mailto:bfakharzadeh@westernenergyalliance.org)

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Message

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 10/25/2017 9:52:02 PM  
**To:** Alexandra Dunn; **Ex. 6 - Personal Privacy**  
**Subject:** thanks! I've certified your report  
**Attachments:** ADunn new entrant.pdf

Here it is, if you want to see a copy.

As for next steps, **Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Alexandra Dunn [mailto: **Ex. 6 - Personal Privacy**]  
**Sent:** Tuesday, October 24, 2017 6:51 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Re: Finished updating the Integrity.Gov Report

Below are the answers typed in. My apologies for hitting send to fast a moment ago.

Regards, Alex

Alexandra Dapolito Dunn, Esq.

**Ex. 6 - Personal Privacy**

On Fri, Oct 20, 2017 at 2:42 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi there,

Sorry to be out of pocket for a bit,

**Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

It's kind of a relief to just have to worry about work!

I got your report (thanks!) and have to ask you a few more questions (sorry).

**Ex. 6 - Personal Privacy**

**Ex. 6 - Personal Privacy**

Rather than send the form back to

you, I'm going to ask you the questions in this email. Just respond to the email and then I'll make the changes for you, okay? Just so you can see what I've done, check out the attached pdf.

## Ex. 6 - Personal Privacy

Happy weekend!  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

**From:** Alexandra Dunn [mailto:**Ex. 6 - Personal Privacy**]  
**Sent:** Friday, October 20, 2017 9:17 AM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Finished updating the Integrity.Gov Report

I answered all your questions and resubmitted! Thank you.

Alexandra Dapolito Dunn, Esq.

**Ex. 6 - Personal Privacy**





Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/12/2017 3:53:14 PM  
**To:** Freire, JP [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=11603dce40a1499e8e9c17eae000ad1-Freire, Joh]  
**Subject:** RE: Invitation to speak at MI

Hi JP,

No, as an ethics issue, we really don't want the Administrator to be endorsing a non-profit's accomplishments. I appreciate your concern to double check! I would consider this sort of video to be an inappropriate endorsement or preferential treatment.

Thanks for asking,

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

---

**From:** Freire, JP  
**Sent:** Wednesday, April 12, 2017 7:46 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Fwd: Invitation to speak at MI

I wanted to check in on whether the administrator can participate in a video praising a non profit organization's work. Please let me know!

J.P. Freire  
Environmental Protection Agency  
Associate Administrator for Public Affairs  
Mobile: (202) 309-6781

Begin forwarded message:

**From:** "Hupp, Millan" <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Date:** April 12, 2017 at 7:21:27 AM EDT  
**To:** Rafael Mangual <[rmangual@manhattan-institute.org](mailto:rmangual@manhattan-institute.org)>  
**Cc:** "Hupp, Sydney" <[hupp.sydney@epa.gov](mailto:hupp.sydney@epa.gov)>, "Dickerson, Aaron" <[dickerson.aaron@epa.gov](mailto:dickerson.aaron@epa.gov)>, Taisha Camacho <[tcamacho@manhattan-institute.org](mailto:tcamacho@manhattan-institute.org)>, "Ferguson, Lincoln" <[ferguson.lincoln@epa.gov](mailto:ferguson.lincoln@epa.gov)>, "Freire, JP" <[Freire.JP@epa.gov](mailto:Freire.JP@epa.gov)>  
**Subject:** Re: Invitation to speak at MI

Good morning Ralf -- unsure yet on the 17th but should hopefully have answer for you by the end of the week.

Yes, a call would be great. With it being Easter recess, we are traveling next week with the Administrator so could we maybe look at the 25th or 26th?

Thanks so much,  
Millan

Sent from my iPhone

On Apr 11, 2017, at 11:09 AM, Rafael Mangual <[rmangual@manhattan-institute.org](mailto:rmangual@manhattan-institute.org)> wrote:

Not a problem, Millan!

We're very excited to be able to welcome Admin. Pruitt back to the Institute for a June 21<sup>st</sup> luncheon event. Just to double-check, he'd be unavailable to also address our board on the 17<sup>th</sup> of May, correct?

I've Cc'd our events director, Taisha Camacho, who will begin working on securing a venue. I think it would be a good idea to perhaps get on a short call in the next week or two with her, our comms director, and the relevant members of your team to discuss some logistical matters. Let us know if/when you might be available to do that.

Looking forward to working with you again!

-Ralf

**Rafael A. Mangual, J.D.**  
*Project Manager, Legal Policy*  
Manhattan Institute for Policy Research  
52 Vanderbilt Avenue  
New York, NY 10017  
Tel. (646) 839-3358  
Fax (212) 599-3494  
[www.manhattan-institute.org](http://www.manhattan-institute.org)  
<image003.png>

---

**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Monday, April 10, 2017 6:05 PM  
**To:** Rafael Mangual  
**Cc:** Hupp, Sydney; Dickerson, Aaron  
**Subject:** RE: Invitation to speak at MI

Ralf,

Thank you so much for following up. He definitely wants to participate here. If lunch on June 21<sup>st</sup> is still available then that will work for us!

I apologize that it took us this long to get you an answer.

Millan

---

**From:** Rafael Mangual [<mailto:rmangual@manhattan-institute.org>]  
**Sent:** Monday, April 10, 2017 11:07 AM

**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>

**Subject:** RE: Invitation to speak at MI

Hi Millan,

Hope you had a great weekend. I just wanted to follow up to see if your team has had a chance to think about possible dates yet. As you can imagine, our program calendar is pretty robust, so we try to be as strategic as possible in calendaring our smaller events around appearances by high-level speakers such as Admin. Pruitt. That said, if you can give us an idea of what week(s) Admin. Pruitt might prefer (even if not an exact date yet)—or if he's leaning toward speaking at our private board meeting next month in lieu of a public event—that information would be helpful to our event staff in their planning of the broader program calendar.

Best,

-Ralf

**Rafael A. Mangual, J.D.**

*Project Manager, Legal Policy*

Manhattan Institute for Policy Research

52 Vanderbilt Avenue

New York, NY 10017

Tel. (646) 839-3358

Fax (212) 599-3494

[www.manhattan-institute.org](http://www.manhattan-institute.org)

<image004.png>

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**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]

**Sent:** Friday, March 24, 2017 10:54 AM

**To:** Rafael Mangual

**Cc:** Dean Ball

**Subject:** Re: Invitation to speak at MI

Ralf,

Yes, everything was perfect with the request form. The Administrator very much wants to participate here so we are just working on determining the best date.

Dean - it is a pleasure to meet you via email. This sounds like a wonderful opportunity. It is very kind of you all to want to include him! Would you be willing to share what questions you would have of him for this video, who all will be seeing it, and when you would like to do the filming?

Thank you very much,  
Millan

---

**From:** Rafael Mangual <[rmangual@manhattan-institute.org](mailto:rmangual@manhattan-institute.org)>

**Sent:** Thursday, March 23, 2017 1:51:56 PM

**To:** Hupp, Millan

**Cc:** Dean Ball

**Subject:** RE: Invitation to speak at MI

Hi Millan!

Just thought I'd check in to make sure everything was okay with the request form I submitted last week. As always, feel free to let me know if you need anything further on my part.

I also wanted to introduce my colleague Dean Ball (Cc'd), who is putting together a short 40<sup>th</sup> Anniversary video to be shown at our annual Hamilton Awards Dinner (to which the Administrator has also been invited). The video would feature interviews with several of our country's most prominent political and intellectual figures discussing their thoughts on MI's past, present, and future; and we'd be honored to include Administrator Pruitt. It would only require about 30 minutes of his time, and we would be more than happy to send someone down to his office to film. If that's something you guys are open to, please feel free to coordinate with Dean.

I look forward to hearing back from you soon.

Kind regards,

-Ralf

**Rafael A. Mangual, J.D.**  
*Project Manager, Legal Policy*  
Manhattan Institute for Policy Research  
52 Vanderbilt Avenue  
New York, NY 10017  
Tel. (646) 839-3358  
Fax (212) 599-3494  
[www.manhattan-institute.org](http://www.manhattan-institute.org)  
<image005.png>

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**From:** Hupp, Millan [<mailto:hupp.millan@epa.gov>]  
**Sent:** Tuesday, March 14, 2017 6:11 PM  
**To:** Rafael Mangual  
**Subject:** FW: Invitation to speak at MI

Ralf,

I have email! Could you kindly complete the attached Event Request Form and send back my way? Once we have that form, we will address in our Scheduling meeting and get back to you asap.

Thank you so much,  
Millan

---

**From:** Millan Hupp [<mailto:millan.hupp@gmail.com>]  
**Sent:** Tuesday, March 14, 2017 6:06 PM  
**To:** Hupp, Millan <[hupp.millan@epa.gov](mailto:hupp.millan@epa.gov)>  
**Subject:** Fwd: Invitation to speak at MI

Millan Hupp

Begin forwarded message:

**From:** Rafael Mangual <[rmangual@manhattan-institute.org](mailto:rmangual@manhattan-institute.org)>  
**Date:** March 10, 2017 at 12:27:09 PM EST  
**To:** "hale.michelle@epa.gov" <[hale.michelle@epa.gov](mailto:hale.michelle@epa.gov)>  
**Cc:** Millan Hupp <[Ex. 6 - Personal Privacy](#)>  
**Subject:** Invitation to speak at MI

Good afternoon, Michelle!

My name is Ralf Mangual, and I manage legal policy projects here at the Manhattan Institute. I just got off the phone with Millan Hupp who kindly returned my call in regards to an invite our President would like to extend to Administrator Pruitt. She asked me to send an e-copy of the letter (see attached) your way. We're thinking late May but are very flexible in terms of timing.

Please don't hesitate to reach out to me at any time if you have any questions or need more information. Thanks in advance for your time, and I hope we'll have the pleasure of hosting Administrator Pruitt again soon.

Kind regards,

-Ralf

**Rafael A. Mangual, J.D.**  
*Project Manager, Legal Policy*  
Manhattan Institute for Policy Research  
52 Vanderbilt Avenue  
New York, NY 10017  
Tel. (646) 839-3358  
Mob. [Ex. 6 - Personal Privacy](#)  
Fax (212) 599-3494  
[www.manhattan-institute.org](http://www.manhattan-institute.org)

<image004.png>

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 6/7/2017 2:29:31 AM  
**To:** Fotouhi, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=febaf0d56aab43f8a9174b18218c1182-Fotouhi, Da]  
**Subject:** RE: Ethics question

Hi David,

This note confirms our conversation of last week that I had no ethical objections to your participation, in your personal capacity and on your own time, on a panel with your former law firm, Gibson Dunn. You were slated to talk about your personal experiences in your law career and understood that you were not speaking in your official EPA capacity. I hope you had a good time!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Fotouhi, David  
**Sent:** Friday, June 02, 2017 8:40 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** RE: Ethics question

Hi, Justina. I wanted to follow up with you on this email and confirm that I have arranged my schedule such that today is my compressed day. Let me know if you have any questions or need anything else from me. Thanks!

**David Fotouhi**

Deputy General Counsel  
Office of General Counsel  
U.S. Environmental Protection Agency  
Tel: +1 202.564.1976  
[fotouhi.david@epa.gov](mailto:fotouhi.david@epa.gov)

---

**From:** Fotouhi, David  
**Sent:** Wednesday, May 31, 2017 7:04 PM  
**To:** Fugh, Justina <[Fugh.Justina@epa.gov](mailto:Fugh.Justina@epa.gov)>  
**Subject:** Ethics question

Justina:

I have been invited by a former colleague of mine to participate in a panel discussion at my former employer, Gibson Dunn, on Friday, June 2, at 12:30 p.m. I would be one of four participants on the panel, and the audience of the panel would be summer associates (rising 3L law students working at the firm for the summer). The topics of discussion would include my background and career experiences. My understanding is that the other panel members currently work for Congress, a private company, and an NGO. I will arrange my schedule such that my compressed day will fall on the same

day as this event. Please let me know if you have any concerns with my participation or need any additional information.

Best,

David

**David Fotouhi**

Deputy General Counsel  
Office of General Counsel  
U.S. Environmental Protection Agency  
Tel: +1 202.564.1976  
[fotouhi.david@epa.gov](mailto:fotouhi.david@epa.gov)



Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/7/2017 6:12:53 PM  
**To:** Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]  
**Subject:** RE: Question about upcoming event

Hi,  
I'm at 564 1786.  
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

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**From:** Graham, Amy  
**Sent:** Friday, April 07, 2017 1:37 PM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Subject:** Question about upcoming event

Hi Justina – I have a few ethics related questions about an event we are organizing for next Wednesday. What's a good number I can give you a call at to chat?

Thank you!  
Amy

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/6/2017 12:58:38 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Ag America- For Approval  
**Attachments:** EPA Event Request Form.docx

I was on travel! I can't remember all of these!

---

**From:** Hupp, Sydney  
**Sent:** Thursday, March 30, 2017 8:40 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Ag America- For Approval

Thanks!

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

Message

---

**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/6/2017 12:57:29 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Heritage Foundation- For Approval  
**Attachments:** Heritage Foundation May 11, 2017 .docx

Another one?

---

**From:** Hupp, Sydney  
**Sent:** Thursday, March 30, 2017 9:31 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Heritage Foundation- For Approval

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 4/6/2017 12:56:38 AM  
**To:** Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** FW: Kentucky Association of Manufacturers- For Approval  
**Attachments:** Event Request Form for Scott Pruitt, Administrator, US EPA.DOCX; Conference DRAFT Agenda 2-2-17.pdf

Did they send this to you?

---

**From:** Hupp, Sydney  
**Sent:** Thursday, March 30, 2017 11:16 AM  
**To:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Cc:** Hupp, Millan <hupp.millan@epa.gov>  
**Subject:** Kentucky Association of Manufacturers- For Approval

Sydney Hupp  
Office of the Administrator- Scheduling  
202.816.1659

Message

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**From:** Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]  
**Sent:** 5/26/2017 7:12:04 PM  
**To:** Phillips, Anna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e64da0d7792d4e0db5c2ff9c69d5a75c-APhillip]; Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]; Smoot, Nicole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=453823dae09848159a21045a5e4538e4-NMONROE]  
**CC:** Cunningham, Dennis [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=69036c28a2a44af5bdd3a1d08d8ec408-DCunning]; Cherry, Katrina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eff58fe613b7474987b56083cb518d69-Cherry, Katrina]; Kasman, Mark [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=419892c6fdc74087b775abb683821344-MKasman]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]  
**Subject:** RE: ITP for Administrator  
**Attachments:** Pruitt trip to Italy.pdf

Oh, silly me. Thanks, Anna, for noticing that. Here's the corrected form and I've attached it to the ITP.

---

**From:** Phillips, Anna  
**Sent:** Friday, May 26, 2017 1:57 PM  
**To:** Davis, Gail <Davis.Gail@epa.gov>; Smoot, Nicole <Smoot.Nicole@epa.gov>  
**Cc:** Fugh, Justina <Fugh.Justina@epa.gov>; Cunningham, Dennis <Cunningham.Dennis@epa.gov>; Cherry, Katrina <Cherry.Katrina@epa.gov>; Kasman, Mark <Kasman.Mark@epa.gov>  
**Subject:** RE: ITP for Administrator

OK – I've signed off on the ITP and it's ready for final OITA approval. I'm copying Katrina and Dennis so that they are aware.

Justina, note that the form you approved didn't include the dollar amount for lodging (\$600) so it would be good to add it if possible.

Many thanks...

Anna

~~~~~  
Anna Phillips

*Program Manager for Europe
U.S. Environmental Protection Agency (EPA)
Office of International & Tribal Affairs
Washington, D.C. 20460*

Tel: (+1) 202.564.6419

E-mail: phillips.anna@epa.gov

<http://www2.epa.gov/international-cooperation>



Please consider the environment before printing this message.

From: Davis, Gail
Sent: Friday, May 26, 2017 1:34 PM
To: Phillips, Anna <Phillips.Anna@epa.gov>; Smoot, Nicole <Smoot.Nicole@epa.gov>
Subject: RE: ITP for Administrator

Justina had to create another form because the Administrator is not hooked up to sign his to be routed so that's why it was sitting. She said she has created and approved it now. Thanks all

From: Phillips, Anna
Sent: Friday, May 26, 2017 11:36 AM
To: Smoot, Nicole <Smoot.Nicole@epa.gov>
Cc: Davis, Gail <Davis.Gail@epa.gov>
Subject: RE: ITP for Administrator

OGC needs to confirm ethics clearance for acceptance of non-EPA travel support before we can sign off on the Administrator's ITP. Gail is aware and I believe she is in contact with OGC.

Thanks...
Anna

Anna Phillips
Program Manager for Europe
U.S. Environmental Protection Agency (EPA)
Office of International & Tribal Affairs
Washington, D.C. 20460

Tel: (+1) 202.564.6419
E-mail: phillips.anna@epa.gov
<http://www2.epa.gov/international-cooperation>



Please consider the environment before printing this message.

From: Smoot, Nicole
Sent: Friday, May 26, 2017 9:52 AM
To: Phillips, Anna <Phillips.Anna@epa.gov>
Subject: ITP for Administrator

Hello Anna

Can you provide a status of the Administrator ITP, it has not been approved

"Committed to Service and People"



Nicole V. Smoot

Management Analyst

Office of Administrative and Executive Services

Office of the Administrator

Room: 2432G William Jefferson Clinton North

Mail Code: 1104A

Phone: 202-564-0414

Fax: 202-564-2744

Email: smoot.nicole@epa.gov



Event Location ITALY - ROME, BOLOGNA

Travel Starts 06/05/2017

Event Sponsor(s) EPA



DEO Justina Fugh

Employee Name Scott Pruitt

Title Administrator

Organization OA

Phone Number 202-564-0000

☐ for-profit ☐ not for-profit

Your Role Administrator representing the United States

Travel Ends 06/13/2017

Nature of Event G7 Environmental Ministers Meeting

Spousal expenses included? ☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses?

Name: Italy's Environmental Ministers in Bologna

Address: Via Cristoforo Colombo, 44 00147 - Roma Italia

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

foreign government that serves in the role of the G7 Presidency that is sponsoring this Summit to be attended by over 20 Heads of State and of Government, more than 200 head of delegations will attend the 10 minister-level meetings.

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved* ☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved* ☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate? ☐ Yes ☒ No
If "Yes," attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

	IN KIND	IN CASH
	ticket, meals etc., est. the \$	must be a check etc. made out to EPA
Common carrier transportation	\$0.00	\$0.00
Meals	\$0.00	\$0.00
Lodging	\$600.00	\$0.00
Local transportation	\$0.00	\$0.00
Waiver of fees	\$0.00	\$0.00

Other (specify)

\$0.00

\$0.00

Sub Total \$600.00

Sub Total \$0.00

TOTAL →→→→→ \$600.00

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations? ☐ Yes ☒ No

Any other explanations or attachments ⓘ

Approving Official's Certification

Approved By: Justina Fugh

Date:05/26/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL :

Additional Attachments / Explanations:

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 8/9/2017 10:28:24 PM
To: Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]
Subject: here are the approved ethics travel forms for 8/9/17
Attachments: Form 2610-3 Ferguson.pdf; Form 2610-3 Pruitt.pdf; Form 2610-3 - Hupp.pdf; Form 2610-3 - Perrotta.pdf

Thanks for your help!
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772


EPA

 Approval to Accept Travel
Under Ethics Reform Act of 1989

Event Location Grand Forks, ND

Travel Starts 08/09/2017

Event Sponsor(s) University of North Dakota

DEO Justina Fugh

Employee Name Millan Hupp

Title Director for Scheduling and Advance

Organization OA

Phone Number 202-564-0000

☐ for-profit

☒ not for-profit

Your Role

advance for the Administrator

Travel Ends

08/09/2017

Nature of Event

 roundtable discussion and tour of
University of North Dakota's
Environmental Research Center

Spousal expenses included?
☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses?
Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

state governmental agency

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate?

☐ Yes ☒ No

If "Yes," attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

	IN KIND	IN CASH
	ticket, meals etc., est. the \$	must be a check etc. made out to EPA
Common carrier transportation	\$596.80	\$0.00
Meals	\$0.00	\$0.00
Lodging	\$0.00	\$0.00
Local transportation	\$0.00	\$0.00
Waiver of fees	\$0.00	\$0.00
Other (specify)	\$0.00	\$0.00

Sub Total \$596.80

Sub Total \$0.00

TOTAL →→→→→ \$596.80

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations?

☐ Yes ☒ No

Any other explanations or attachments ⓘ

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator to this event. There is no government rate established for this route.

Approving Official's Certification

Approved By: Justina Fugh

Date:08/09/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL :

Additional Attachments / Explanations:


EPA

 Approval to Accept Travel
Under Ethics Reform Act of 1989

Event Location Grand Forks, ND

Travel Starts 08/09/2017

Event Sponsor(s) University of North Dakota

DEO Justina Fugh

Employee Name Pasquale Perrotta

Title Special Agent

Organization OECA, OCEFT

Phone Number 202-564-2542

☐ for-profit

☒ not for-profit

Your Role

Speaker and participant

Travel Ends

08/09/2017

Nature of Event

 roundtable discussion and tour of
University of North Dakota's
Environmental Research Center

Spousal expenses included?
☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses?
Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

state governmental entity

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate?

☐ Yes ☒ No

If "Yes," attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

	IN KIND	IN CASH
	ticket, meals etc., est. the \$	must be a check etc. made out to EPA
Common carrier transportation	\$773.80	\$0.00
Meals	\$0.00	\$0.00
Lodging	\$0.00	\$0.00
Local transportation	\$0.00	\$0.00
Waiver of fees	\$0.00	\$0.00
Other (specify)	\$0.00	\$0.00

Sub Total \$773.80

Sub Total \$0.00

TOTAL →→→→→ \$773.80

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations?

☐ Yes ☒ No

Any other explanations or attachments ⓘ

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator and his staff to this event. There is no government rate established for this route. This traveler is entitled to business class accommodation due to security concerns.

Approving Official's Certification

Approved By: Justina Fugh

Date:08/09/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL :

Additional Attachments / Explanations:


EPA

 Approval to Accept Travel
Under Ethics Reform Act of 1989

Event Location Grand Forks, ND

Travel Starts 08/09/2017

Event Sponsor(s) University of North Dakota

DEO Justina Fugh

Employee Name Lincoln Ferguson

Title Special Assistant and Advisor

Organization OA,OEAE

Phone Number 202-564-0000

☐ for-profit

☒ not for-profit

Your Role

Speaker and participant

Travel Ends

08/09/2017

Nature of Event

 roundtable discussion and tour of
University of North Dakota's
Environmental Research Center

Spousal expenses included?
☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses?
Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

state governmental entity

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate?

☐ Yes ☒ No

If "Yes," attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

	IN KIND	IN CASH
	ticket, meals etc., est. the \$	must be a check etc. made out to EPA
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Lodging	\$0.00	\$0.00
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Waiver of fees	\$0.00	\$0.00
Other (specify)	\$0.00	\$0.00

Sub Total \$596.80

Sub Total \$0.00

TOTAL →→→→→ \$596.80

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

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☐ Yes ☒ No

Any other explanations or attachments ⓘ

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator to this event. There is no government rate established for this route.

Approving Official's Certification

Approved By: Justina Fugh

Date:08/09/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL :

Additional Attachments / Explanations:

Status >>>

Approved by Approving Official

<<< Status


EPA

 Approval to Accept Travel
Under Ethics Reform Act of 1989

Event Location Grand Forks, ND

Travel Starts 08/09/2017

Event Sponsor(s) University of North Dakota

DEO Justina Fugh

Employee Name Scott Pruitt

Title Administrator

Organization OA

Phone Number 202-564-4700

☐ for-profit

☒ not for-profit

Your Role

Speaker and participant

Travel Ends

08/09/2017

Nature of Event

 roundtable discussion and tour of
University of North Dakota's
Environmental Research Center

Spousal expenses included?
☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses?
Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

State governmental entity

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate?

☐ Yes ☒ No

If "Yes," attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

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Sub Total \$773.80

Sub Total \$0.00

TOTAL →→→→→ \$773.80

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations?

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Any other explanations or attachments ⓘ

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator to this event. There is no government rate established for this route. This traveler is entitled to business class accommodation due to security concerns.

Approving Official's Certification

Approved By: Justina Fugh

Date:08/09/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL :

Additional Attachments / Explanations:

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 5/26/2017 6:42:10 PM
To: Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]
Subject: RE: another ethics question
Attachments: Which lane are you in-official v personal capacity.pdf

Hi Nancy,

There are two lanes on my ethics highway: official duty and a separate lane for personal capacity (have attached a chatty document we distributed back in February 2017 as a reminder, in case you're interested). I will always start by asking if you are speaking in your official capacity or not. If you are, then you can use official time, be placed on official travel, can use subordinates to prepare remarks, be referenced by your official EPA title and position, and speak on behalf of the Agency but can't share nonpublic information. EPA will pay for your travel or, if a non-federal entity makes an unsolicited offer to pay for your travel, then you may ask OGC/Ethics to accept. We make you use an electronic form that you must get us to approve in advance. This works only if you will be in official travel status (more than 50 miles from the duty station) and you'll be at a meeting or conference or other exchange of information. Can never be used in connection with non-discretionary duties.

If you will in personal capacity, then you must be on annual leave, can't refer to your EPA position and title (except as one of several biographical details with EPA not having any undue prominence), can't use subordinates or the EPA seal, can't share nonpublic information, and can't speak on behalf of EPA.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Beck, Nancy
Sent: Thursday, May 25, 2017 5:41 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: another ethics question

Justina,

Are there any restrictions regarding my participating on panels or giving talks at scientific meetings?

I presume I would have to somehow get this approved by management, but otherwise would there be any ethics concerns?

This would scientific meetings that if they involved travel, I'm sure EPA would pay my way (and I likely would go to the meeting anyways)

Thanks!
Nancy

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention
P: 202-564-1273
M: Ex. 6 - Personal Privacy
beck.nancy@epa.gov

WHICH LANE ARE YOU IN?	
Official Capacity (on behalf of EPA, as an employee)	Personal Capacity
<p>Generally ...</p> <ul style="list-style-type: none"> Consistent with statutory authority and Agency or office mission and assigned duties. Need supervisory approval to engage in the activity. Cannot be compensated by an outside party. <p>Use of Government Time, Resources and Non-Public Information</p> <ul style="list-style-type: none"> You can use official time on the activity, consistent with supervisory approval. You can use EPA resources including computer, copier, EPA email address or phone number, administrative support. You cannot use non-public information. <p>Identifying Yourself and Disclaimers</p> <ul style="list-style-type: none"> Use your official title. Depending on the level of review, you may need to include a <u>disclaimer</u>. <p>Social Media</p> <p>Relatively few employees are responsible for maintaining or using EPA's official social media posts. See EPA's policies on <u>official use of social media</u>.</p>	<p>Generally ...</p> <ul style="list-style-type: none"> If what you want to do qualifies as an "outside activity" under <u>EPA's supplemental ethics rules</u>, you may need prior written approval from an ethics official. You may not be compensated if the activity relates to official duty. <p>Use of Government Time, Resources and Non-Public Information</p> <ul style="list-style-type: none"> Refrain from engaging in personal activities on EPA time. Do not use your EPA badge, email address or other EPA identifiers when acting in your personal capacity. Personal use of the EPA equipment is permitted only in accordance with EPA's <u>limited personal use policy</u>, which allows for <i>de minimis</i> use, but never for prohibited activities such as charitable fundraising, lobbying, political activity, compensated outside activity or illegal activities. There is no expectation of privacy in the federal workplace or when using EPA equipment or resources. Remember, your alternate work location is considered federal workspace when you are on Flexiplace and the ethics rules apply the same when you work remotely as when you are in the office. Do not use <u>nonpublic information</u>, which is any information gained through EPA employment that you know or should know has not been made available to the general public, is exempt from disclosure, or that has not been authorized for release. You may not take pictures inside federal buildings (including private buildings leased by federal occupants; e.g., EPA Region 10) without the permission of the occupying Agency. <u>41 C.F.R. § 102-74.420</u>.

WHICH LANE ARE YOU IN?

Official Capacity (on behalf of EPA, as an employee)	Personal Capacity
	<p>Misuse of Position and Representing Back</p> <ul style="list-style-type: none"> • Avoid appearing to misuse your EPA position for your own personal gain or for the gain of others or to create the appearance that the federal government endorses your personal activities. <i>Avoid deliberate use of your EPA position or affiliation to bolster your personal position or to lend it greater or emphasized credence.</i> For example, you could carry a sign at an event that says “I love puppies.” You could even carry a sign that says, “Federal employee loves puppies.” But you should NOT carry a sign that says “EPA employee loves puppies.” • In your personal capacity, you cannot represent the interests of a third party back to the federal government, regardless of whether you are compensated. 18 U.S.C. §§ <u>203</u> & <u>205</u>. For example, you could write a letter to your Senator, expressing your personal opinion about a proposed legislative action, but you could not write and sign a letter on behalf of a third party about the same proposed action. <p>Identifying Yourself and Disclaimers</p> <ul style="list-style-type: none"> • You can reference your official title if it is one of at least three biographical details you provide and you make it clear that you are speaking in your personal capacity, not in your official capacity or on behalf of EPA. You might also need to include a <u>disclaimer</u>. • If you don’t mention your EPA position, you do not need to include a disclaimer. • If it is clear from the language or context of your speaking or writing that you are representing personal rather than Agency views, then you have addressed endorsement concerns, but you

WHICH LANE ARE YOU IN?

Official Capacity (on behalf of EPA, as an employee)	Personal Capacity
	<p>still must be careful not to use your EPA position for private gain. See Misuse of Position, above, and <u>OGE letter 10 x 1</u>.</p> <p>Social Media</p> <ul style="list-style-type: none"> • The ethics rules apply to social media just as they do to other forms of communication. • Because there is no expectation of privacy in the federal workplace or when using EPA equipment or resources, <i>we recommend against using EPA equipment, server, etc. to access personal social media accounts.</i> • Do not use or post nonpublic information in personal social media accounts. • Because you are generally prohibited from taking photos inside federal office space, you, therefore also should not post such photos to your personal social media accounts. • The Office of Government Ethics has a terrific <u>legal advisory on ethics and personal use of social media</u>. <p>Fundraising</p> <ul style="list-style-type: none"> • Don't use your EPA position to further outside fundraising efforts. There are some restrictions when engaged in fundraising, even on personal time. <u>5 C.F.R. § 2635.808</u>. • You can't ever personally solicit funds from a subordinate or from a "prohibited source," which is any entity or person who is doing business with EPA, seeks to do business with EPA or is regulated by EPA.

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 7/21/2017 8:25:39 PM
To: Morris, Madeline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f42c86b4a2044779972ac94e098f0304-Morris, Mad]
Subject: RE: Scheduling Request

Hi Maddy,

Yes, he can do this event in his official capacity. Even though they keep saying he's a member, he's not an officer or anything very active **Ex. 6 - Personal Privacy** so I don't have any impartiality issues. Just please tell them that he cannot accept the honorarium at all. He can't even direct them to give it to any specific charity.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Morris, Madeline
Sent: Friday, July 21, 2017 4:00 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: Scheduling Request

Hi Justina,

Could you look at this event? They need our answer by Monday evening for their print deadline. Thanks!

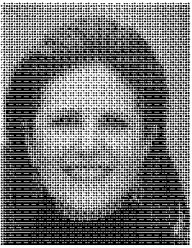
From: Allyson Carson [<mailto:acarson@leadershipoklahoma.com>]
Sent: Wednesday, July 19, 2017 11:36 AM
To: Morris, Madeline <morris.madeline@epa.gov>
Cc: Chris Meyers (cmeyers@oaec.coop) <cmeyers@oaec.coop>
Subject: FW: Scheduling Request

Hi Maddy,

Below is the email with attached request sent on May 31st.

Thank you for your assistance!

Ally



Allyson Carson
Director of Membership
5500 N. Western Ave., Suite 142
Oklahoma City, OK 73118
405.848.0001 | W
Ex. 6 - Personal Privacy | C
888.821.4576 | F
Leadershipoklahoma.com

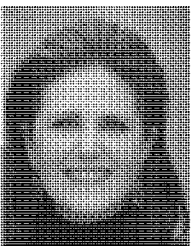


From: Allyson Carson
Sent: Wednesday, May 31, 2017 4:58 PM
To: 'Hupp, Sydney' <hupp.sydney@epa.gov>
Subject: RE: Scheduling Request

Hi Sydney!

Attached is the event request form filled out. Should you have questions, please don't hesitate to call or email me anytime!

Ally



Allyson Carson
Director of Membership
5500 N. Western Ave., Suite 142
Oklahoma City, OK 73118
405.848.0001 | W
Ex. 6 - Personal Privacy | C
888.821.4576 | F
Leadershipoklahoma.com

From: Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]
Sent: Wednesday, May 31, 2017 10:23 AM
To: Allyson Carson <acarson@leadershipoklahoma.com>
Cc: Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: Scheduling Request

Hi Allyson,

Thank you for reaching out! I am attaching an event request form for you to please fill out. We will discuss at our next scheduling meeting!

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
202.816.1659 (c)

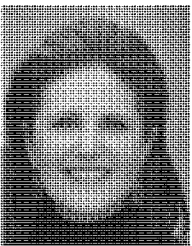
From: Allyson Carson [<mailto:acarson@leadershipoklahoma.com>]
Sent: Wednesday, May 31, 2017 10:29 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Subject: Scheduling Request

Hi Sydney!

Michelle Hale gave me your information to request a form to fill out to see if Mr. Pruitt is available to speak at Leadership Oklahoma's Fall Forum September 14th at Shangri-La Resort in Northeast Oklahoma. As a member of Leadership Oklahoma, we would love to have Mr. Pruitt be a part of our event! I am happy to send more details, however, if you have any questions, please feel free to call or email me.

Thank you so much and I look forward to hearing from you soon!

Allyson



Allyson Carson
Director of Membership
5500 N. Western Ave., Suite 142

Oklahoma City, OK 73118

405.848.0001 | W

Ex. 6 - Personal Privacy | C

888.821.4576 | F

Leadershipoklahoma.com



Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 5/26/2017 5:20:10 PM
To: Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
Subject: RE: Italy....
Attachments: Pruitt trip to Italy.pdf

I had to create and approve a new form because the Administrator is not digitally signing the one you prepared. I've done that and also linked it to his ITP in FIAT for OITA.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Davis, Gail
Sent: Friday, May 26, 2017 10:48 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>
Subject: Italy....

Hello, will one of you be able to sign off on my ethics form for the administrator for Italy today. OITA won't issue a number until the ethics form has been approved. Thank you!



Event Location ITALY - ROME, BOLOGNA

Travel Starts 06/05/2017

Event Sponsor(s) EPA



DEO Justina Fugh

Employee Name Scott Pruitt

Title Administrator

Organization OA

Phone Number 202-564-0000

☐ for-profit

☐ not for-profit

Your Role

Administrator representing the United States

Travel Ends

06/13/2017

Nature of Event

G7 Environmental Ministers Meeting

Spousal expenses included?

☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses?

Name: Italy's Environmental Ministers in Bologna

Address: Via Cristoforo Colombo, 44 00147 – Roma Italia

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

foreign government that serves in the role of the G7 Presidency that is sponsoring this Summit to be attended by over 20 Heads of State and of Government, more than 200 head of delegations will attend the 10 minister-level meetings.

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved*

☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate?

☐ Yes ☒ No

If "Yes," attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

	IN KIND	IN CASH
	ticket, meals etc., est. the \$	must be a check etc. made out to EPA
Common carrier transportation	\$0.00	\$0.00
Meals	\$0.00	\$0.00
Lodging	\$0.00	\$0.00
Local transportation	\$0.00	\$0.00
Waiver of fees	\$0.00	\$0.00

Other (specify)

\$0.00

\$0.00

Sub Total \$0.00

Sub Total \$0.00

TOTAL →→→→→ \$0.00

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations? ☐ Yes ☒ No

Any other explanations or attachments ⓘ

Approving Official's Certification

Approved By: Justina Fugh

Date:05/26/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL :

Additional Attachments / Explanations:

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 5/4/2017 10:14:29 PM
To: Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]
Subject: RE: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore
Attachments: government_speakers_pre-approved.doc

Hi Samantha,

Oh, gosh, did you ask me earlier and I forgot to get back to you? If so, I am so sorry! The answer is yes, you may speak at this event in your official capacity. Two things to note, though:

- 1) The event will be held in Baltimore's inner harbor, which is not more than 50 miles away (it's only 41 miles away). Therefore, you will not be in travel status, so EPA will likely have to pay for your local travel expenses. You and EPA won't be able to accept any travel expenses from the ABA because it will exceed \$20 (beyond the individual limit for gifts from outside sources) and it does not involve travel status.
- 2) The ABA will ask you to sign a speaker's release form. Do not sign their standard release. Instead, you need to use the form for government speakers. See attached (I just spoke last week at an ABA meeting in Los Angeles).

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Dravis, Samantha
Sent: Thursday, May 04, 2017 2:41 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: Fwd: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Am I permitted to attend this event and speak? Thank you.

Sent from my iPhone

Begin forwarded message:

From: "Landis-Marinello, Kyle" <kyle.landis-marinello@vermont.gov>
Date: May 4, 2017 at 2:37:51 PM EDT
To: "Dravis, Samantha" <dravis.samantha@epa.gov>
Subject: RE: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Hi Ms. Dravis,

Just wanted to check in again on whether you heard back about whether you can participate in this conference? It sounds as though the ABA is planning to finalize the brochure soon, so we're hoping to get confirmations in the next week.

Thank you!
Kyle

From: Landis-Marinello, Kyle
Sent: Wednesday, April 26, 2017 9:45 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: Re: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Sounds good--look forward to hearing from you. Thanks, Kyle

From: Dravis, Samantha <dravis.samantha@epa.gov>
Sent: Wednesday, April 26, 2017 4:43:51 PM
To: Landis-Marinello, Kyle
Subject: RE: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

So sorry for the delay. I need to check with our ethics folks that this is permissible. Let me try to get back ASAP.

From: Landis-Marinello, Kyle [<mailto:kyle.landis-marinello@vermont.gov>]
Sent: Wednesday, April 26, 2017 4:21 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Dear Ms. Dravis,

Just wanted to circle back on this. Although the conference is still a long ways away, I'm getting pressured to finalize the list of panelists. Do you know whether you will be able to participate? Roger Martella highly recommended you, and I'm hoping it will work with your schedule. Look forward to hearing from you.

Many thanks,
Kyle

From: Landis-Marinello, Kyle
Sent: Tuesday, April 18, 2017 10:29 AM
To: 'Dravis, Samantha' <dravis.samantha@epa.gov>
Subject: RE: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Thank you for the quick reply! Yes, below is the full description of the panel. Also, it looks as if Georgetown Professor Lisa Heinzerling (bio [here](#)) will be our moderator, and we have asked Maryland AG Frosh to present the States' perspective, Troy Eid (bio [here](#)) for the tribal perspective, and are hoping you can present the federal perspective. Thanks, Kyle

Who's In Charge? The Evolving Role of Tribal, State, and Local Governments in Environmental, Energy, and Resources Regulation and Enforcement.

During the previous administration, the federal government played an expanding and active role in regulation and enforcement of environmental, energy, and resources issues. The new federal administration, on the other hand, has taken a number of measures to reduce the federal role in these areas. As the federal government takes a step back, some tribal, state, and local governments are acting to fill the void in regulation and enforcement. But can they do so? What are the constitutional or other legal and practical barriers to tribal, state, and local regulation and enforcement? This panel will provide attorneys with an overview of the historical division of authority among federal, tribal, state, and local governments, the role lawyers play in challenges to relevant authority, and an analysis of current trends to reallocate that authority.

From: Dravis, Samantha [<mailto:dravis.samantha@epa.gov>]

Sent: Tuesday, April 18, 2017 10:22 AM

To: Landis-Marinello, Kyle <kyle.landis-marinello@vermont.gov>

Subject: RE: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Thanks for the invitation, Kyle.

Can you give me some more detail about what specifics you hope to cover in the panel?

From: Landis-Marinello, Kyle [<mailto:kyle.landis-marinello@vermont.gov>]

Sent: Tuesday, April 18, 2017 8:51 AM

To: Dravis, Samantha <dravis.samantha@epa.gov>

Subject: Invitation to Speak at ABA Environmental Section Fall Conference in Baltimore

Ms. Dravis,

I'm on the planning committee for the ABA Environmental Section's 25th Annual Fall Conference. The Conference is in Baltimore this year, from October 18-21. I believe it's the largest environmental law conference in the country (usually 400-500 attendees). I'm putting together speakers for a panel on the afternoon of October 20 on "Who's In Charge?" under the new Administration. I'm hoping that you would be interested in speaking on this topic.

Will you please let me know at your earliest convenience?

Thank you,
Kyle

Kyle H. Landis-Marinello
Assistant Attorney General
Environmental Protection Division
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609
(802) 828-1361
kyle.landis-marinello@vermont.gov

SPEAKER RELEASE
American Bar Association
321 N. Clark Street, Chicago, IL 60654

ABA Entity: Section of Environment, Energy, and Resources

Name of Presenter ("You"): Address: Phone: Email:
ABA Program Title ("Program"): 35th Water Conference
Location of Program: Los Angeles, CA Date of Program: March 29, 2017
Title of Presentation/Paper:
Please sign and return this form by: Friday, January 20, 2017 to:
Jennifer.Idrovo@americanbar.org

This is to confirm that the undersigned has agreed to participate in the American Bar Association (ABA) program described above.

As set forth below:

1. Presenter acknowledges the presentation and/or written materials has been authored by U.S. Government employees acting within his or her official capacity, and therefore falls under the coverage of 17 U.S.C. 105.
2. Presenter acknowledges that the ABA has the right to use Presenter's name persona, photograph, biography, voice, likeness, speaker presentation and/or written materials in connection with the program.
3. Presenter hereby acknowledges that the ABA has the right to edit the presentation and/or written materials, but does not obligate the ABA to publish Presenter's presentation or other materials.
4. Presenter represents that the presentation and/or written materials are original to Presenter and Presenter's staff and to the best of the Presenter's knowledge does not infringe upon any copyright, proprietary right, or any other right whatsoever of any party and that Presenter has made no agreements inconsistent with this Release. Presenter further represents that to the best of the Presenter's knowledge the presentation and/or written materials contains no matter that is scandalous, obscene, or libelous or otherwise contrary to law.
5. Presenter hereby acknowledges and agrees that the ABA has the right to reproduce, distribute and sell any audio, written or visual materials submitted in connection with the oral presentation, and to make the presentation, and/or written materials available in physical and electronic form, including mounting a copy of the presentation and/or written materials on media servers where the presentation and/or written materials may

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6. Presenter acknowledge and agree to comply with the ABA's "Open Meeting Policy," which states in part "all ABA programs are open to the media unless they are to conduct business sessions of a confidential nature." "Media" may include print, radio, TV, internet or other journalists as credentialed by the Division for Media Relations and Communication Services, including ABA journalists. In addition, Presenter acknowledges that media may record, photograph, or make fair use of portions of your presentation.

Presenter: _____ Date: _____
(Signature)

AMERICAN BAR ASSOCIATION
OFFICE OF THE GENERAL COUNSEL
APPROVED *Stephen G. Haggitt*

10/5/11

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 3/31/2017 8:59:36 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
CC: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
Subject: FW: Ag America- For Approval
Attachments: EPA Event Request Form.docx

For your review and action, now that you're back and have met with Sydney and Millan.

(what's weird to me about this request is that they are not clearly asking the Administrator to speak).

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Hupp, Sydney
Sent: Thursday, March 30, 2017 8:40 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Hupp, Millan <hupp.millan@epa.gov>
Subject: Ag America- For Approval

Thanks!

Sydney Hupp
Office of the Administrator- Scheduling
202.816.1659

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/19/2017 3:52:29 PM
To: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]
Subject: RE: CAHB - ethics check
Attachments: blank travel form.pdf

Hi Millan,

Yes, I can accept the offered travel expenses in advance of the trip. Am copying Gail Davis on this note as she and I need to work together to get the request into our electronic system. Attached is the pdf version of what Gail will be filling out in order for OGC/Ethics to accept the travel.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

-----Original Message-----

From: Hupp, Millan
Sent: Tuesday, September 19, 2017 10:38 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: NAHB - ethics check

Justina,

May we accept the offer of covered travel from this group?

Thank you,
Millan

Status >>>

New Form

<<< Status

Traveler Information (click here to open/close)

**EPA**Approval to Accept Travel
Under Ethics Reform Act of 1989

Event Location

Traveler's Role ⓘ

Travel Starts

Incorrect data type for
operator or @Function:
Time/Date expected

Travel Ends

☐ Official Duty ☐ Outside Activity
Incorrect data type for operator or
@Function: Time/Date expected

Event Sponsor(s)

Purpose of Event ⓘ

ⓘ

DEO or designee

Employee Name

▲ Justina Fugh

Spousal expenses
included?☐ Yes ☒ No

Title

Organization

OGC,IO

Phone Number

202-564-1786

Who is the non-federal person(s) or entity(s) paying travel expenses? ⓘ

Name of Organization:

Address:

What kind of entity is this? ⓘ

- ☐ for-profit ☐ state/local government ☐ College/University
☐ not for-profit ☐ foreign government ☐ Other (explain below)

Describe the entity (source) paying travel expenses. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. (You can attach files below.)

do not omit this explanation!!!

Is this source a party to a matter that is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? If "Yes", then acceptance of travel expenses cannot be approved

☐ Yes ☐ No

Is this source paying the travel through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? If "Yes", then acceptance of travel expenses cannot be approved ⓘ

☐ Yes ☐ No

Is this source otherwise affected by EPA matters in which you participate?

☐ Yes ☐ No

If "Yes," describe the matter and attach explanation (below). ⓘ

Itemization of benefits ⓘ

Amount & METHOD of payment ⓘ

	IN KIND	IN CASH
	ticket, meals etc., est. the \$	must be a check etc. made out to EPA
Common carrier transportation	\$0.00	\$0.00
Meals	\$0.00	\$0.00
Lodging	\$0.00	\$0.00
Local transportation	\$0.00	\$0.00
Waiver of fees ⓘ	\$0.00	\$0.00
Other (specify)	\$0.00	\$0.00
Sub Total	\$0.00	Sub Total \$0.00
TOTAL →→→→→		\$0.00

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

**Does this amount exceed the amount payable under Federal
Travel Regulations?**

☐ Yes ☒ No

(see <http://www.gsa.gov> for per diem rates)

Any other explanations or attachments ⓘ

Traveler's Certification

By: 

Date:

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/2/2017 4:59:09 PM
To: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
Subject: RE: Ethics Approval Request
Attachments: External Meeting Request Form Oct.docx

Here you go. I did send it to Hayley earlier (she too reminded me that I forgot to add the attachment). Sigh.

From: Hupp, Millan
Sent: Friday, September 01, 2017 8:26 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Ethics Approval Request

Thank you Justina. I am not seeing anywhere as to the specific event she was inquiring about. Could you please confirm what that was?

Millan Hupp
Director of Scheduling and Advance
Office of the Administrator
Cell: 202.380.7561 Email: hupp.millan@epa.gov

From: Fugh, Justina
Sent: Friday, September 1, 2017 4:38 PM
To: Hupp, Millan <hupp.millan@epa.gov>
Subject: FW: Ethics Approval Request

Hi Millan,
OGC/Ethics heard that Maddy left EPA so Hayley asked us if there were any outstanding ethics reviews for invitations. There are not, but here's the most recent exchange I had with Maddy, just for your information.
Best,
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Fugh, Justina
Sent: Wednesday, August 30, 2017 4:21 PM
To: Morris, Madeline <morris.madeline@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Approval Request

Perfect! So this is not a campaign event for anyone, and it seems that all incumbents (irrespective of party) were invited. I have no ethics objections if the Administrator wishes to participate.

Thanks for checking!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Morris, Madeline
Sent: Wednesday, August 30, 2017 3:12 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Approval Request

Hi Justina,

So all of the elected officials were invited, congressional delegation, state legislatures, as well as the Governor. But they have had no one confirm attendance yet.

From: Fugh, Justina
Sent: Wednesday, August 30, 2017 10:21 AM
To: Morris, Madeline <morris.madeline@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Approval Request

Hi Maddy,

Event sponsor is not a federally registered lobbyist so I don't have any Trump ethics pledge issues. And since he's speaking during lunch, he can eat the meal if he wants. The other question I have is whether anyone running for public office will be present. Can you confirm for me whether Senator Flake has been invited or not?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Morris, Madeline
Sent: Wednesday, August 30, 2017 9:32 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Ethics Approval Request

Hi Justina!

I hope you are having a good August! I have been in Montana, but glad to come back to nice and cool weather!!

Do you mind looking at this request for ethics approval? Appreciate your help!

Madeline Morris Executive Scheduler | Office of the Administrator | direct: 202-564-0844 | cell: 202-579-4283

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 3/24/2017 7:01:40 PM
To: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
CC: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
Subject: RE: Invitation to speak at MI

Hi there,

It was very helpful to have the questions that MI proposes to ask.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process The Standards of Ethical Conduct for Employees of the Executive Branch include specific provisions at 5 CFR 2635.702 that prohibit employees from misusing their federal positions:

Appearance of governmental sanction -- an employee shall not use or permit the use of government position or title or any authority associated with his public office that can be reasonably construed that his agency or the government sanctions or endorses the activities of another; and

Endorsements -- an employee shall not use or permit the use of government position or title or any authority associated with his public office to endorse any product, service or enterprise except: in furtherance of statutory authority to promote products, services or enterprises, or as a result of documentation of compliance with Agency requirements or standards or the result of recognition for achievement given under an agency program of recognition for accomplishment in support of the Agency's mission.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

By the way, Jennie Keith (copied here) is back at work, so we'll both be working on invitations with you. I expect that she'll reach out to you both in the near term to meet and to share her insights into invitations. She has been the primary ethics contact for Administrator invitations over the past several years.
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Hupp, Millan
Sent: Friday, March 24, 2017 11:25 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>
Subject: Fw: Invitation to speak at MI

Justina,

Could you please take a look at this request to do a filming of the Administrator on his thoughts regarding the Manhattan Institute.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Thank you so much,
Millan

From: Dean Ball <dball@manhattan-institute.org>
Sent: Friday, March 24, 2017 11:07 AM
To: Hupp, Millan
Subject: Re: Invitation to speak at MI

(Ralf, will move you to BCC)

Millian,

The video would be screened at our Hamilton Award Dinner on May 4; attendees would include the Manhattan Institute's board of trustees and other supporters, and high-level figures from media, government, and the non-profit sector. We would of course give your office final approval over his portion of the video. We also might seek to screen it publicly after that, on social media and our website, but would again only do so with your approval.

We are willing to be as flexible as possible to Administrator Pruitt's schedule, with the only constraint being that we'd need to do the filming before April 7 in order to have the video ready in time. We will have a film crew in DC on one of the following days: March 28, March 30, April 4, April 5, and April 7. If any of those dates works on your end, we would prefer to schedule it on those days. But as I said, we'll gladly accommodate whatever time within that range is ideal for you.

The questions we would ask are copied below. Of course, if there are any questions, for whatever reason, that he would prefer not to discuss, we can change this list.

- 1) How has MI changed American lives for the better?
- 2) In your opinion, what is the **single-most influential contribution** MI has made to foster greater economic choice and individual responsibility?
- 2b) And/or, what has been its most significant intellectual contribution? What is the "big idea" from MI that has mattered most?
- 3) What do you hope the "**next 40 years**" look like for MI?
- 3b) How might America (or its cities?) look different 40 years from now if MI's ideas are more broadly understood and implemented?
- 4) What is MI's unique contribution? What differentiates MI from others?
- 5) Who are your favorite fellow(s) and why?
- 6) Make any comment that you (the toaster) would like to make (you never know what you get from them)
- 7) Do you have any thoughts or comments about Larry Mone (MI's President) or Paul Singer (MI's Chairman)?
- 8) Do you remember your first interaction with MI, its scholars, or their ideas?
- 9) What wishes do you have for MI for the next 40 years?
- 10) Would you say that MI's scholars or their work have changed your thinking significantly, on a personal level? Why did you find these ideas compelling or how did they help you see policy/culture differently?

Thank you,
Dean

Dean W. Ball

Deputy Director, State & Local Policy
Manhattan Institute for Policy Research
52 Vanderbilt Avenue, Third Floor
New York, NY 10017
646.839.3339

From: Hupp, Millan <hupp.millan@epa.gov>

Sent: Friday, March 24, 2017 10:54 AM

To: Rafael Mangual

Cc: Dean Ball

Subject: Re: Invitation to speak at MI

Ralf,

Yes, everything was perfect with the request form. The Administrator very much wants to participate here so we are just working on determining the best date.

Dean - it is a pleasure to meet you via email. This sounds like a wonderful opportunity. It is very kind of you all to want to include him! Would you be willing to share what questions you would have of him for this video, who all will be seeing it, and when you would like to do the filming?

Thank you very much,
Millan

From: Rafael Mangual <rmangual@manhattan-institute.org>

Sent: Thursday, March 23, 2017 1:51:56 PM

To: Hupp, Millan

Cc: Dean Ball

Subject: RE: Invitation to speak at MI

Hi Millan!

Just thought I'd check in to make sure everything was okay with the request form I submitted last week. As always, feel free to let me know if you need anything further on my part.

I also wanted to introduce my colleague Dean Ball (Cc'd), who is putting together a short 40th Anniversary video to be shown at our annual Hamilton Awards Dinner (to which the Administrator has also been invited). The video would feature interviews with several of our country's most prominent political and intellectual figures discussing their thoughts on MI's past, present, and future; and we'd be honored to include Administrator Pruitt. It would only require about 30 minutes of his time, and we would be more than happy to send someone down to his office to film. If that's something you guys are open to, please feel free to coordinate with Dean.

I look forward to hearing back from you soon.

Kind regards,

-Ralf

Rafael A. Mangual, J.D.

Project Manager, Legal Policy

Manhattan Institute for Policy Research

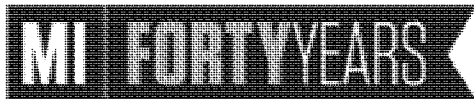
52 Vanderbilt Avenue

New York, NY 10017

Tel. (646) 839-3358

Fax (212) 599-3494

www.manhattan-institute.org



From: Hupp, Millan [<mailto:hupp.millan@epa.gov>]

Sent: Tuesday, March 14, 2017 6:11 PM

To: Rafael Mangual

Subject: FW: Invitation to speak at MI

Ralf,

I have email! Could you kindly complete the attached Event Request Form and send back my way? Once we have that form, we will address in our Scheduling meeting and get back to you asap.

Thank you so much,
Millan

From: Millan Hupp [<mailto:millan.hupp@gmail.com>]

Sent: Tuesday, March 14, 2017 6:06 PM

To: Hupp, Millan <hupp.millan@epa.gov>

Subject: Fwd: Invitation to speak at MI

Millan Hupp

Begin forwarded message:

From: Rafael Mangual <rmangual@manhattan-institute.org>
Date: March 10, 2017 at 12:27:09 PM EST
To: "hale.michelle@epa.gov" <hale.michelle@epa.gov>
Cc: Millan Hupp { **Ex. 6 - Personal Privacy** }
Subject: Invitation to speak at MI

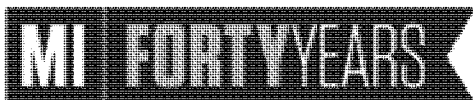
Good afternoon, Michelle!

My name is Ralf Mangual, and I manage legal policy projects here at the Manhattan Institute. I just got off the phone with Millan Hupp who kindly returned my call in regards to an invite our President would like to extend to Administrator Pruitt. She asked me to send an e-copy of the letter (see attached) your way. We're thinking late May but are very flexible in terms of timing.

Please don't hesitate to reach out to me at any time if you have any questions or need more information. Thanks in advance for your time, and I hope we'll have the pleasure of hosting Administrator Pruitt again soon.
Kind regards,

-Ralf

Rafael A. Mangual, J.D.
Project Manager, Legal Policy
Manhattan Institute for Policy Research
52 Vanderbilt Avenue
New York, NY 10017
Tel. (646) 839-3358
Mob. { **Ex. 6 - Personal Privacy** }
Fax (212) 599-3494
www.manhattan-institute.org



Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/1/2017 8:55:42 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Ethics Approval Request
Attachments: External Meeting Request Form Oct.docx

Silly me. Of course. Here you go.

From: Ford, Hayley
Sent: Friday, September 01, 2017 4:44 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Ethics Approval Request

Can you clarify this event? I assume in her original message there was a request attached so that did not come through. Assume it's an AZ event but want to be sure of which one. Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: Fugh, Justina
Sent: Friday, September 1, 2017 4:40 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: FW: Ethics Approval Request

Here you go. And we look forward to working with you even more!

From: Fugh, Justina
Sent: Friday, September 01, 2017 4:38 PM
To: Hupp, Millan <hupp.millan@epa.gov>
Subject: FW: Ethics Approval Request

Hi Millan,
OGC/Ethics heard that Maddy left EPA so Hayley asked us if there were any outstanding ethics reviews for invitations. There are not, but here's the most recent exchange I had with Maddy, just for your information.
Best,
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Fugh, Justina
Sent: Wednesday, August 30, 2017 4:21 PM
To: Morris, Madeline <morris.madeline@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Approval Request

Perfect! So this is not a campaign event for anyone, and it seems that all incumbents (irrespective of party) were invited. I have no ethics objections if the Administrator wishes to participate.

Thanks for checking!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Morris, Madeline
Sent: Wednesday, August 30, 2017 3:12 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Approval Request

Hi Justina,

So all of the elected officials were invited, congressional delegation, state legislatures, as well as the Governor. But they have had no one confirm attendance yet.

From: Fugh, Justina
Sent: Wednesday, August 30, 2017 10:21 AM
To: Morris, Madeline <morris.madeline@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Approval Request

Hi Maddy,

Event sponsor is not a federally registered lobbyist so I don't have any Trump ethics pledge issues. And since he's speaking during lunch, he can eat the meal if he wants. The other question I have is whether anyone running for public office will be present. Can you confirm for me whether Senator Flake has been invited or not?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Morris, Madeline
Sent: Wednesday, August 30, 2017 9:32 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Ethics Approval Request

Hi Justina!

I hope you are having a good August! I have been in Montana, but glad to come back to nice and cool weather!!

Do you mind looking at this request for ethics approval? Appreciate your help!

Madeline Morris Executive Scheduler | Office of the Administrator | direct: 202-564-0844 | cell: 202-579-4283

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/8/2017 5:31:53 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Duross, Jeanne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1771ddaf869f40998535d410e5b1a93e-Jduross]
Subject: RE: Ethics Request: G-7 Chamber Meeting

Thanks, Jennie. I think.

Another topic: please take a look at the new ethics travel thing. I want to get comments to the developer early next week and then they will put it into "production" so we can have more people test it out and make comments. But it's pretty cool to look at now!

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Keith, Jennie
Sent: Friday, September 08, 2017 1:28 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Duross, Jeanne <Duross.Jeanne@epa.gov>
Subject: RE: Ethics Request: G-7 Chamber Meeting

Justina,

Ex. 5 - Deliberative Process

Please note that the hosting party (US Chamber of Commerce) is a federally registered lobbyist.

Thanks!
Jennie for OGC/Ethics

From: Fugh, Justina
Sent: Thursday, September 07, 2017 4:39 PM
To: Duross, Jeanne <Duross.Jeanne@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: FW: Ethics Request: G-7 Chamber Meeting

Ex. 6 - Personal Privacy

Thanks,
Justina

From: Fugh, Justina
Sent: Thursday, September 7, 2017 4:05 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Ethics Request: G-7 Chamber Meeting

Hayley,

Ex. 6 - Personal Privacy

but I won't be able to connect with anyone until Monday. So you won't get a response until then.
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Ford, Hayley
Sent: Thursday, September 07, 2017 3:13 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: Ethics Request: G-7 Chamber Meeting

Another! Thanks!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/18/2017 8:41:30 PM
To: Griffo, Shannon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c901eb2c3ba4556a4a581b8816d5a9a-Vallance, Shannon]
Subject: Re: here's a change of pace for you

Yes. We only provide ethics advice. We don't confirm attendance.

Sent from my iPhone

On Sep 18, 2017, at 4:38 PM, Griffo, Shannon <Griffo.Shannon@epa.gov> wrote:

Jay Kramer asked if my email acts as a confirmation or should he still confirm with Ryan. I'm assuming he should still confirm with Ryan?

Sent from my iPhone

On Sep 18, 2017, at 1:23 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Two things:

1)

2)

Ex. 5 - Deliberative Process

From: Griffo, Shannon
Sent: Monday, September 18, 2017 12:22 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: here's a change of pace for you

Ex. 5 - Deliberative Process

Shannon Griffo
Ethics Attorney
Office of General Counsel, Ethics
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

From: Fugh, Justina
Sent: Friday, September 15, 2017 12:12 PM

To: Griffo, Shannon <Griffo.Shannon@epa.gov>

Subject: here's a change of pace for you

Hi Shannon,

Ex. 5 - Deliberative Process

justina

From: Jackson, Ryan

Sent: Friday, September 15, 2017 9:01 AM

To: Fugh, Justina <Fugh.Justina@epa.gov>

Subject: Re: September 28 AOA Invitation

That's fine. Would you mind calling jay since it's on sept 28 and it's coming really soon?

Ryan Jackson

Chief of Staff

U.S. EPA

Ex. 6 - Personal Privacy

On Sep 13, 2017, at 2:48 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Hi,

It appears to me to be a partisan political group that was founded in 2014 by Paul Singer.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

But this is a partisan political group, so we need to be alert to all of the Hatch Act considerations, including the fact that they will have to pay for travel costs.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US
EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton
Federal Building | Washington, DC 20460 (for ground deliveries, use 20004
for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Jackson, Ryan
Sent: Wednesday, September 13, 2017 2:19 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: September 28 AOA Invitation

We have been asked to speak at this, and I wanted to see what information you may need from the group. I'm not familiar with this group. However, Secretary Mnuchin spoke to them recently.

From: Jay Kramer [<mailto:jay@opportunityus.org>]
Sent: Wednesday, September 13, 2017 12:55 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: September 28 AOA Invitation

Ryan,

I'm sure you're slammed so I wanted to kick this to the top of your box. Let me know if you need anything else.

Thanks,
Jay

On 9/12/17, 9:24 PM, "Jay Kramer" <jay@opportunityus.org> wrote:

Ryan,

Per my conversation with Samantha, I'd like to formally extend an invitation for Administrator Pruitt to speak at our upcoming American Opportunity Alliance meeting. The meeting will be on Thursday, September 28 in New York. We plan to gather from 8:30 AM – 4:00 PM and welcome him at any point during this window. We hope that the Administrator could address his role in the administration, the accomplishments to date, as well as his views on the current landscape.

Look forward to hearing back from you.

Best,
Jay

Jay Kramer

Cell: **Ex. 6 - Personal Privacy**

Office: 703.260.7145

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<Ground rules revised 9-2017.doc>

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 9/7/2017 9:05:12 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
Subject: RE: meeting request

Hayley,

Hmm. So, a guarded yes to this meeting in concept, but please note that the requestor (George Baker) is a federally registered lobbyist. This means that the Administrator cannot accept any gifts from him AT ALL. It's likely that anything they give him will have to be returned, so it's best to alert them up front not to give him any gifts. Also, please note that the Administrator is recused for a year on any specific party matter that involves the State of Oklahoma, so if this matter involves the state, he'll have to recuse.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Ford, Hayley
Sent: Thursday, September 07, 2017 4:08 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: FW: meeting request

Another!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: George D. Baker [<mailto:gdbaker@wms-jen.com>]
Sent: Thursday, September 7, 2017 3:33 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: meeting request

Hayley: Per your request, attached please find our completed meeting request form. If you have any questions, you are welcome to call me. My office number is 202-659-8201 and my cell is Ex. 6 - Personal Privacy Always good to reach me by email though. Great thanks,

George Baker
Williams & Jensen
Counsel for OGE Energy Corp.

From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Thursday, September 07, 2017 3:17 PM
To: George D. Baker
Cc: Dickerson, Aaron
Subject: RE: meeting request

George,

I can absolutely look at both of their calendars and see if we can do this. Can I have you complete the attached meeting request form so that our scheduling team can review and get back to you very soon? If you can complete yet today, I hope to tentatively schedule a time next week.

Thank you!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: George D. Baker [<mailto:gdbaker@wms-jen.com>]
Sent: Thursday, September 7, 2017 1:10 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Dickerson, Aaron <dickerson.aaron@epa.gov>; Willis, Sharnett <Willis.Sharnett@epa.gov>
Subject: RE: meeting request

Hayley: In my asking yesterday for a meeting next week with Ryan Jackson for Sean Trauschke, Chairman and CEO of OG&E, I should also have indicated that if Ryan's schedule did not permit such a meeting Sean would certainly be interested in being able to discuss with Administrator Pruitt. The issue of concern involves the application of NSPS restrictions under Section 111(b) which threaten to limit the generation of new gas-powered turbines that were installed to replace coal-fired generation in compliance with EPA's regional haze mandate to Oklahoma. These new gas-powered turbines are critically important to maintain electric reliability both in Oklahoma and in the Southwest Power Pool. Sean would like the opportunity to brief Ryan or the Administrator on the situation when he is in town next Tuesday through Thursday. Please let me know whether there is a bit of time that might serve to create an opportunity for Sean to do so with the Administrator if Ryan cannot do so.

Great thanks.

George Baker
Williams & Jensen
Counsel for OGE Energy Corp.

Ex. 6 - Personal Privacy

From: Ford, Hayley [<mailto:ford.hayley@epa.gov>]
Sent: Wednesday, September 06, 2017 5:35 PM
To: Dickerson, Aaron; Willis, Sharnett
Cc: George D. Baker
Subject: FW: meeting request

George,

Thank you for reaching out. I want to e-introduce you to Aaron Dickerson and Sharnett Willis, who can speak with Ryan and hopefully find a time to schedule your visit. They can confirm for you.

Let me know if I can help in any other way!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: George D. Baker [<mailto:gdbaker@wms-jen.com>]
Sent: Wednesday, September 6, 2017 4:54 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: meeting request

Hayley: Per your kind instruction, on behalf of Sean Trauschke, Chairman and CEO of OGE Energy Corp., I would like to request an opportunity for Sean to meet with Ryan Jackson next week September 12, 13 or 14, when Sean is in DC. Ryan knows Sean very well from past activities involving Oklahoma. While Sean has a schedule of meetings as chairman of the Oklahoma Chamber of Commerce which is having its DC fly-in next week, we would like to see if Ryan's schedule could accommodate some time with Sean to talk about the New Source Performance Standards under Section 111(b). I would be pleased to discuss particular time and date options that might be available. Please advise. Great thanks

George Baker
Williams & Jensen
Counsel for OGE Energy Corp.

Ex. 6 - Personal Privacy

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Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 5/16/2017 7:06:55 PM
To: Davis, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3778a7cc1fa4f078f7c4b447c63e7c8-Gdavis04]
CC: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
Subject: RE: Heritage Foundation comped one night's lodging
Attachments: Trip to CO.pdf; Trip to Houston.pdf

Thanks, Gail.

Attached is the approved ethics travel form for CO:



Trip to CO.pdf

I found this trip in the "pending" file. It's for Houston. No record of any approval for this. Did he end up going to Houston?



Trip to Houston.pdf

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Davis, Gail
Sent: Tuesday, May 16, 2017 1:31 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Heritage Foundation comped one night's lodging

I left you a voicemail earlier about this:

Location: Colorado Springs, CO

Hotel: The Broadmoor, Lodging was 230.00 per night plus taxes were 30.55 per night. I don't have his receipt because I called to get it and they said they couldn't send it to me because it was on a Master Account. That's when I asked Millan if they picked up his lodging. The lodging above was what they charged Millan and my understanding was that this was gonna be the cost for everyone.

Purpose: To serve as the keynote speaker for the Heritage Foundation's Resource bank meeting.

From: Fugh, Justina
Sent: Monday, May 15, 2017 5:27 PM
To: Davis, Gail <Davis.Gail@epa.gov>
Cc: Hupp, Millan <hupp.millan@epa.gov>; Keith, Jennie <Keith.Jennie@epa.gov>
Subject: Heritage Foundation comped one night's lodging

Hey Gail,
OGC/Ethics had orally cleared acceptance of travel expenses for the Administrator from the Heritage Foundation for the night of May 11. Now we should do the ethics travel form. If you give me a call tomorrow to provide me with the location and purpose of the trip, together with the amount of lodging, then I can take care of this and send you the approved form for the travel voucher.
Cheers,
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

Status >>>

Approved by Approving Official

<<< Status


EPA

 Approval to Accept Travel
Under Ethics Reform Act of 1989

Event Location Colorado Springs, CO

Travel Starts 05/11/2017

Event Sponsor(s) Heritage Foundation

☒
DEO ☒ Justina Fugh

Employee Name ☒ Scott Pruitt

Title Administrator

Organization OA

Phone Number 202-564-0000

☐ for-profit

☒ not for-profit

Your Role ☒

To serve as the keynote speaker for the Heritage Foundation meeting

Travel Ends

05/12/2017

Nature of Event ☒

meeting

Spousal expenses included?
☐ Yes ☒ No

Who is the non-federal person(s) or entity(s) paying travel expenses? ☒
Name: Heritage Foundation

Address: 214 Massachusetts Ave NE, Washington, DC 20002

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

The Heritage Foundation is a 501(c)(3) dedicated to American conservative values and ideas.

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved* ☐ Yes ☒ No

Is this travel being paid through an EPA contract, Federal assistance agreement OR FEDERAL GRANT (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved* ☐ Yes ☒ No

Are any of these sources otherwise affected by EPA matters in which you participate? ☐ Yes ☒ No

If "Yes," attach explanation (below). ☒

Itemization of benefits ☒
Amount & METHOD of payment ☒
☒
IN KIND
IN CASH

ticket, meals etc., est. the \$ must be a check etc. made out to EPA

Common carrier transportation	\$0.00	\$0.00
Meals	\$0.00	\$0.00
Lodging	\$260.55	\$0.00
Local transportation	\$0.00	\$0.00
Waiver of fees <input checked="" type="radio"/>	\$0.00	\$0.00
Other (specify)	\$0.00	\$0.00

Sub Total \$260.55

Sub Total \$0.00

TOTAL →→→→→ \$260.55

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations?

☐ Yes ☒ No

Any other explanations or attachments ⓘ

Approving Official's Certification

Approved By: Justina Fugh

Date:05/16/2017

☐ **Hold Pending Review**

NOTE FROM APPROVING OFFICIAL : OGC/ethics orally approved this trip prior to travel

Additional Attachments / Explanations:

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 2/14/2017 7:48:19 PM
To: Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]
Subject: RE: Pruitt at CPAC

Yes, we'll talk about hatch at our weekly or I'll send you something for the binder.

From: Minoli, Kevin
Sent: Tuesday, February 14, 2017 12:10 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: Pruitt at CPAC

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Kevin S. Minoli
Acting General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

On Feb 14, 2017, at 11:55 AM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Kevin,
Here is the draft response to Ryan Jackson.
Justina

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Jackson, Ryan (Inhofe) [mailto:Ryan_Jackson@inhofe.senate.gov]
Sent: Monday, February 13, 2017 8:27 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Pruitt at CPAC

One of the reasons why I raise this is that although we were talking earlier that CPAC is a 501(c)(4), it is actually a 501(c)3.

From: Jackson, Ryan (Inhofe)
Sent: Monday, February 13, 2017 8:25 PM
To: 'fugh.justina@epa.gov' <fugh.justina@epa.gov>
Subject: Pruitt at CPAC

Justina, we are making arrangements for CPAC. It is at National Harbor on Saturday February 25. His speaking time is 1:15pm. We talked about CPAC reimbursing EPA for the travel. What all is included in CPAC's reimbursement for their planning purposes?

Thank you.

Ryan Jackson
Chief of Staff
U.S. Senator James M. Inhofe
205 Russell Senate Office Building
Washington, D.C. 20510
(202) 224-4721
(202) 228-1007 facsimile

<HOW TO CALCULATE POLITICAL TRAVEL.doc>

<HOW TO REVIEW POLITICAL INVITATIONS.doc>

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 6/14/2017 2:49:47 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]
Subject: RE: Event in Tx

Hi Liz,

You did a very nice job in setting out the relevant facts. Based on this information, I conclude that you may participate in the event, even though we believe that ACC, your former employer, may be present. If the ACC is present, it will be one of several others, and because this is a press event, it's necessarily open to the public. You will not be infringing on the ethics pledge you signed. That said, if you see the ACC CEO, then you can still say hello, but don't interview him or personally work on inserting any of his comments into any EPA press coverage.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Bowman, Liz
Sent: Tuesday, June 13, 2017 3:34 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Event in Tx

Hi Justina – I want to follow-up on the event I briefly mentioned and see if you can provide Ryan and me more clarity on my ethical limitations. As you probably know, we are spread really thin right now in OPA, and

Ex. 6 - Personal Privacy

With that said, we are working on an event in Houston, TX next Friday at a Huntsman innovative technologies laboratory.

Huntsman is a member of the American Chemistry Council (along with hundreds of other companies). This is a press event, aimed at promoting the Administrator's message. ACC's only involvement is that their CEO might attend the event and possibly speak.

Can you let me know what I can/can't do with regard to the ethics on this event? For example, can I help plan it, write the press release and attend? That is really all that I would be doing. It's about the logical management of the event, it has nothing to do with ACC lobbying, etc.

Thanks,

Liz Bowman

U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 6/12/2017 6:57:28 PM
To: Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]
Subject: RE: New Documentary Premiering at AFI Docs - About Superfund Site

Hi Kell,

No, I'm good.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process OGC/Ethics will inform the donor that EPA employees will not be accepting the free tickets (worth \$12 each).

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Kelly, Albert
Sent: Monday, June 12, 2017 1:59 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: New Documentary Premiering at AFI Docs - About Superfund Site

Let me know if you would like to talk further

Albert Kelly
Senior Advisor to the Administrator
1200 Pennsylvania Avenue, NW
Washington, DC 20460
202 306 8830

From: Fugh, Justina
Sent: Monday, June 12, 2017 12:52 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Kelly, Albert <kelly.albert@epa.gov>
Subject: RE: New Documentary Premiering at AFI Docs - About Superfund Site

Okay, so this is all you know? I'll ask someone on my team to get in touch with Wendy Cohen to understand what the terms are of the free tickets and when the event occurs. Then we'll send out an ethics alert about whether people can accept the ticket or not, and provide advice about whether attending on government time or not. Stay tuned.

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Graham, Amy
Sent: Monday, June 12, 2017 11:59 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: New Documentary Premiering at AFI Docs - About Superfund Site

Here is the background on the documentary screening that is taking place this weekend.

From: Graham, Amy
Sent: Monday, June 5, 2017 5:00 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Duteau, Helen <Duteau.Helen@EPA.GOV>; Hull, George <Hull.George@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>
Subject: Re: New Documentary Premiering at AFI Docs - About Superfund Site

Here is the information on the premier:

Hi Amy,

Hope you are well. I'm following up on my note below. We would love to set up a time to chat.

And we would love to hear about any plans the EPA has regarding superfund sites for the next few weeks that coincide with our world premiere.

We are also happy to offer you and your colleagues tickets to the premiere if you would like to join us. Here are the details:

ATOMIC HOMEFRONT
World Premiere
Saturday, June 17, 7:00 p.m.

Landmark E Street Theatre
555 11th Street NW
Washington, DC 20004

Let us know if you have time for a call tomorrow or early next week.

Thank you!
Wendy



wendy cohen / president

o: 323-522-6693 m: Ex. 6 - Personal Privacy
e: wendy@picturemotion.com t: @wendynuale

Sent from my iPhone

On Jun 5, 2017, at 1:54 PM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi Greg,

Adding Amy Graham to address your question.

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct

Ex. 6 - Personal Privacy n/txt

From: Siedschlag, Gregory
Sent: Monday, June 05, 2017 1:53 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Duteau, Helen <Duteau.Helen@EPA.GOV>
Subject: RE: New Documentary Premiering at AFI Docs - About Superfund Site
Importance: High

Hi Christie and Julia,

I've had several folks ask me recently whether the "Atomic Homefront" screening is on. Could I get a status update?

Many thanks,

Greg Siedschlag
Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency
Office: (703) 603-9044
Follow us on Twitter @EPALand
<https://www.epa.gov/superfund>

From: StClair, Christie
Sent: Tuesday, May 16, 2017 9:18 AM

To: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>

Subject: RE: New Documentary Premiering at AFI Docs - About Superfund Site

Ok. Amy Graham is working on it, and I let her know.

Christie St. Clair

Office of Public Affairs

Environmental Protection Agency

Washington, DC

o: 202-564-2880

m: Ex. 6 - Personal Privacy

From: Siedschlag, Gregory

Sent: Tuesday, May 16, 2017 9:02 AM

To: StClair, Christie <StClair.Christie@epa.gov>

Subject: RE: New Documentary Premiering at AFI Docs - About Superfund Site

We'd be interested in a screening assuming that agency leadership is on board with it. Keep us posted.

Greg Siedschlag

Outreach and Communications Specialist

Office of Superfund Remediation and Technology Innovation

U.S. Environmental Protection Agency

Office: (703) 603-9044

Follow us on Twitter [@EPALand](https://twitter.com/EPALand)

<https://www.epa.gov/superfund>

From: StClair, Christie

Sent: Monday, May 15, 2017 9:41 AM

To: Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>

Subject: FW: New Documentary Premiering at AFI Docs - About Superfund Site

Hey Greg,

One of the movies being screened during AFI Docs this year is about a Superfund site.

"Atomic Homefront" is an environmental justice story of two communities in St. Louis who are mobilizing themselves to get answers. One community is adjacent to an out-of-control, underground landfill fire that is moving towards a legacy nuclear waste site, and the other is experiencing high rates of cancer possibly due to ionizing radiation poisoning from the same nuclear waste source buried there since the 1940s.

More info here: <http://realscreen.com/2017/05/12/atomic-homefront-saving-brinton-among-afi-docs-premieres/>

The film company would be happy to do a screening at EPA if you're interested.

Christie

Christie St. Clair

Office of Public Affairs

Environmental Protection Agency

Washington, DC

o: 202-564-2880

m: Ex. 6 - Personal Privacy

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 3/16/2017 6:36:01 PM
To: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
CC: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]; Jennie Keith [Keith.Jennie@epa.gov]
Subject: FW: API Board meeting invitation for Administrator Pruitt 22 March
Attachments: 2017 API Board 02 01 2017.pdf; 17BdPruitt.pdf

Hi,

The American Petroleum Institute (API) has invited the Administrator to speak to their Executive Committee and Board of Directors at their dinner meeting in Washington, DC. They have also invited him to the reception that precedes the dinner. We've already addressed two other invitations, and the answer to this one will show why we love it when you ask OGC/Ethics in advance!

API is a federally registered lobbyist, so the Administrator cannot accept any gift from them. But he can speak to them and, if the event at which he is speaking is a dinner, he can also eat the meal. See 5 CFR 2635.203(b)(8) of the recently effective new gift rules. And under this exclusion, Millan may also attend and eat the meal.

But that reception is a bit of a tougher issue. He's not actually speaking at the reception, so then we have to figure out whether the reception is an integral part of the dinner at which he is speaking. If so, then we can clear him to attend the reception too. Do you know whether he wants to attend the reception or just the dinner? In any case, I have put a call into Khary Cauthen (who used to work at EPA) to ask him whether that reception is part of the whole event. If it is, then we can clear the Administrator to attend both.

Whatever I hear back, I'll circle back with you to confirm. But for now, he can at least attend the dinner, speak, and eat the meal.

Cheers,
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Hupp, Sydney
Sent: Thursday, March 16, 2017 12:56 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; **Cc:** Dravis, Samantha <dravis.samantha@epa.gov>
Subject: FW: API Board meeting invitation for Administrator Pruitt 22 March

Hello all—

Justina, will you please vet this from the ethics side?

Millan, will you please forward over the event request sheet and intro yourself as point of contact (since this is next week).

Aaron, will you please add this to the spreadsheet as a yes?

Lincoln, just want you to be aware that this speaking engagement is coming down the pipeline.

Thank you all!
Sydney

From: Dravis, Samantha
Sent: Wednesday, March 15, 2017 11:44 AM
To: Hale, Michelle <hale.michelle@epa.gov>; Hupp, Sydney <hupp.sydney@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: FW: API Board meeting invitation for Administrator Pruitt 22 March

I spoke to Administrator Pruitt and he wants to do this one. Could we calendar this, por favor?

Attendees will be myself and Ryan Jackson if he wants to.

We'll also need to check with Justina in ethics on the meals offered. API will tell us how much they cost so that we can reimburse.

From: Khary Cauthen [<mailto:cauthenk@api.org>]
Sent: Tuesday, March 14, 2017 3:17 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>
Subject: API Board meeting invitation for Administrator Pruitt 22 March

Ryan/Samantha: Good afternoon, hope that all is well with you two. Jack would like to invite Administrator Pruitt to our Board Dinner next Wednesday evening. Luckily our Board is meeting just across the street from your offices. We would love for the Administrator to attend part or all of the reception and dinner and I've attached the attendees of this year's Board Meeting Dinner. We have great attendance for this meeting as it is the first Washington DC API meeting of the new Administration/Congress.

Please do not hesitate to reach out with any questions.

Khary Cauthen
202-682-8209 o

Ex. 6 - Personal Privacy C



Jack N. Gerard
President and Chief Executive Officer

1220 L Street, NW
Washington, DC 20005-4070
USA
Telephone (202) 682-8500
Fax (202) 682-8110
Email gerardj@api.org
www.api.org

March 14, 2017

The Honorable Scott Pruitt
Administrator
The United States Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator Pruitt:

I cordially invite you to address the American Petroleum Institute's Executive Committee and Board of Directors Dinner on Wednesday, March 22, 2017, during our board meetings at the Trump International Hotel, 1100 Pennsylvania Ave NW, Washington DC. The reception begins at 5:30 and dinner at 6:30pm, you are invited and welcome to attend either or both, we will work to accommodate your schedule.

API's Board of Directors is composed of 45 CEOs representing a broad spectrum of the U.S. oil and natural gas industry. This gathering of top executives offers an important opportunity to provide your views to industry leaders on the environment, regulations and energy policy as well as the administration's plans on US oil and natural gas development.

Your appearance would mean a great deal to us. Please don't hesitate to contact me or Khary Cauthen, API's Senior Director of Federal Relations (202-682-8209 or cauthenk@api.org), with any questions.

I look forward to hearing from you, and I hope you will be able to join us on March 22nd.

Sincerely,

A handwritten signature in black ink that reads "Jack Gerard". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jack N. Gerard

Enclosure

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Ms. Karen Wright

President and Chief Executive Officer
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Ex-Officio**Mr. Jack Gerard**

President and Chief Executive Officer
API

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 3/16/2017 6:10:07 PM
To: Sydney Hupp [syd.hupp@gmail.com]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
CC: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: FW: American Iron and Steel Institute and the Steel Manufacturers Association Meeting
Attachments: Event Request Form- Administrator Pruitt.docx

Hi –

This invitation is from both the American Iron and Steel Institute (a federally registered lobbyist) and the Steel Manufacturers Association (not a federally registered lobbyist). It's a speaking engagement that is local and there does not appear to be any meal or apparent gift. So the Administrator can speak at this event. The only possible thing for Millan to worry about is if the AISI tries to give him a gift. He can't accept a gift of any sort from the AISI but he could accept a small token from the SMA (like a hat or pen or mug) so long as the thing he receives is not worth more than \$20.

I can imagine that it will be hard to tell one of the sponsors that their gift is okay while the other's is not, so maybe you want to just tell them both "no gifts please" instead?

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Hupp, Sydney
Sent: Thursday, March 16, 2017 1:18 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Cc: Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: FW: American Iron and Steel Institute and the Steel Manufacturers Association Meeting

Hi everyone,

Justina, can we please vet this from an ethics perspective?

Millan, don't need to reach out immediately but will need to soon, please.

Lincoln, just keeping you in the loop on speaking engagements.

Aaron, Ryan asked for this one. Will you please record in the tracking list?

Thanks!
Sydney

From: Elizabeth Vago [<mailto:evago@steel.org>]
Sent: Thursday, March 16, 2017 12:41 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Hale, Michelle <hale.michelle@epa.gov>; Thomas Gibson <tgibson@steel.org>
Subject: RE: American Iron and Steel Institute and the Steel Manufacturers Association Meeting

Dear Sydney:
Please see the attached event form and please don't hesitate to contact me if I may provide any additional details. Thanks,

Liz

Elizabeth W. Vago
Senior Director, Membership & Admin.
American Iron and Steel Institute
Phone: 202.452.7126

From: Thomas Gibson
Sent: Wednesday, March 15, 2017 3:42 PM
To: Hupp, Sydney
Cc: Hale, Michelle; Elizabeth Vago
Subject: RE: American Iron and Steel Institute and the Steel Manufacturers Association Meeting

Dear Sydney,

Thanks for the response. We will get right on this. I am cc'ing Liz Vago of the AISI staff who will get this back to you ASAP.

Best, Tom

Thomas J. Gibson
President and Chief Executive Officer
American Iron and Steel Institute
25 Massachusetts Avenue, NW
Suite 800
Washington, DC 20001
Phone: 202.452.7146
Fax: 202.452.1039
Email: tgibson@steel.org

www.steel.org

From: Hupp, Sydney [<mailto:hupp.sydney@epa.gov>]
Sent: Tuesday, March 14, 2017 5:49 PM
To: Thomas Gibson
Cc: Hale, Michelle
Subject: American Iron and Steel Institute and the Steel Manufacturers Association Meeting

Good afternoon Tom,

Hope this email finds you well! Ryan Jackson forwarded on to me your request to have Administrator Pruitt speak at your meeting. Thank you so much for thinking of our office! Would you mind filling out the attached event form and sending it back? We are trying to streamline our scheduling effort as we are getting so many requests coming in. Please let me know if you have any questions!

Thank you!
Sydney Hupp

Message

From: Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]
Sent: 7/26/2018 2:54:40 AM
To: Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
CC: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: RE: NERO Luncheon
Attachments: DA Signed Recusal Statement .pdf

Evening Michael and Aaron,

OGC/Ethics recommends declining this speaking request for the Acting Administrator since he has a one-year cooling-off period with the group. If you review page 3 of his recusal statement under the heading, "Obligations under the Impartiality Provisions," the Acting Administrator cannot participate in matters involving NERO for one year from his resignation date.

This request is different than the one that Justina cleared earlier this year. I believe that request was to attend the organization's annual dinner. There, the Acting Administrator paid for his own ticket to the event. His participation was limited to being an attendee only and did not include any visible participation in the event.

Here, he is being asked to deliver a speech about EPA at a regular speaking series. This is impermissible because he is recused for one-year from participating in his official capacity in matters (such as this speaking engagement) involving NERO.

Michael, I recommend that you or the scheduling staff communicate directly with NERO, on behalf of the Acting Administrator, to decline this event. If you have other ideas or questions, please let me know! The Acting Administrator should not respond to this email, as you will do so on his behalf.

Thanks!
Jennie for OGC/Ethics

From: Fugh, Justina
Sent: Wednesday, July 25, 2018 12:47 PM
To: Molina, Michael <molina.michael@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: NERO Luncheon

Hi Michael,
Jennie Keith of Team Ethics is going to write back to you about this. Just so you know, though, Mr. Wheeler has a "covered relationship" with NERO since he was formally affiliated with it.
Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Molina, Michael
Sent: Wednesday, July 25, 2018 12:39 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Fwd: NERO Luncheon

Hi Justina,

Ex. 5 - Deliberative Process and wanted your review.

Thank you.

Michael.

Sent from my iPhone

Begin forwarded message:

From: "Wheeler, Andrew" <wheeler.andrew@epa.gov>
Date: July 25, 2018 at 12:11:38 PM EDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Molina, Michael" <molina.michael@epa.gov>
Subject: Fwd: NERO Luncheon

Begin forwarded message:

From: Executive Director <ExecutiveDirector@nationalenergyresources.com>
Date: July 25, 2018 at 11:05:52 AM EDT
To: "'wheeler.andrew@epa.gov'" <wheeler.andrew@epa.gov>
Subject: NERO Luncheon

Hi Andy,

I'm sorry to interrupt. Hopefully you received a message from us last week, asking if you could speak at an upcoming NERO lunch on Wednesday, Sept. 12; Tuesday, Sept. 24; or Tuesday, Oct 2. The Hyatt contacted us again to see if we could firm up the dates we are holding with them. I know you're extremely busy, but thought I would check back quickly to at least be sure you received the message and if you had any feel for whether any of these dates are possible. Thanks very much for your time and consideration.

Jo Ann
Jo Ann Pawela
National Energy Resources Organization



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

OFFICE OF
ADMINISTRATOR

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Andrew R. Wheeler
Deputy Administrator

Andrew R. Wheeler
5-24-18

TO: E. Scott Pruitt
Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

FINANCIAL CONFLICTS OF INTEREST

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Faegre Baker Daniels LLP**, or any former client to whom I provided legal or

consultative services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If my former employer or a former client is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

Because I was formerly a federally registered lobbyist, I understand that I am also subject to the provisions of Section 1, paragraph 7 of the Executive Order. For a period of two years, I will not participate in any particular matter on which I lobbied in the preceding two years, nor will I participate in the specific issue area in which that particular matter falls. This recusal encompasses issues that I lobbied on before EPA as well as before other federal agencies during the preceding two years including, for example, Section 202(c) of the Federal Power Act.

Set forth below are my former clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA,¹ as well as the specific issues areas from which I am recused:

RECUSAL LIST	
In effect until April 28, 2020	
FORMER EMPLOYER: Faegre Baker Daniels LLP	
FORMER CLIENTS:	
Murray Energy Sargento Food Inc. Underwriters Laboratories Energy Fuels Resources Inc.	Growth Energy International Paper Martin Farms Xcel Energy
FORMER LOBBYING ISSUES:	
Energy Star	

¹ For any former client that is not listed, I understand that I am personally obliged not to participate in specific party matters for the duration of my ethics obligations.

OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with any organization in which I was an active participant. For one year after my resignation from the National Energy Resources Organization (NERO), I am prohibited from participating personally and substantially in any particular matter involving specific parties in which NERO is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). That said, I acknowledge that NERO does not itself lobby or represents parties other than itself.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Michael Molina, Senior Advisor to the Deputy Administrator, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Mr. Molina without my knowledge or involvement until after my recusal period ends.

If Mr. Molina determines that a particular matter will directly involve any of the entities or matters listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Kevin Minoli, Designated Agency Ethics Official, and Justina Fugh, Senior Counsel for Ethics.

UPDATE AS NECESSARY

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Ryan Jackson, Chief of Staff
Michael Molina, Senior Advisor to the Deputy Administrator
Kevin Minoli, Designated Agency Ethics Official
Justina Fugh, Senior Counsel for Ethics

Message

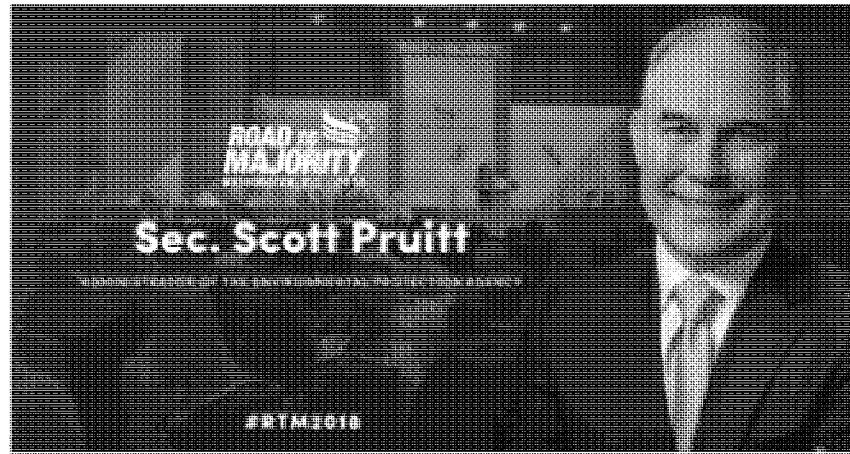
From: Kunding, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C9A5D16E2244079E222F342BF9992F-KUNDINGER,]
Sent: 5/21/2018 7:17:55 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: Faith & Freedom Graphic
Attachments: PruittFB.PNG

Jennie & Justina –

Would you mind letting me know if we can approve Faith & Freedom using the attached graphic to promote the Administrator's attendance? We will of course ask them to change "Sec." to "Administrator."

Thank you for your guidance.

Kelly Kunding
Deputy Director of Scheduling and Advance
Kunding.Kelly@epa.gov
202-568-9879



Message

From: Letendre, Daisy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B691CCCCA6264AE09DF7054C7F1019CB-LETENDRE, D]
Sent: 10/25/2017 8:21:32 PM
To: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
CC: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
Subject: RE: Leaders In Technology at CES 2018
Attachments: travel form dcl1025172017-10-25-143119.pdf

Thanks Justina – attached is the form signed by Shannon. It sounds like I need to provide CTA with advance written authorization for your participation in this privately-sponsored travel – do you provide this for me?

Thanks for your help,
Daisy

From: Fugh, Justina
Sent: Tuesday, October 24, 2017 7:19 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Leaders In Technology at CES 2018

Hi Daisy,

The short answer to your question is that EPA (meaning OGC/Ethics) can accept the offer of travel expenses, not you. The way we accept the travel is through our Lotus Notes database (see <http://intranet.epa.gov/ogc/ethics/travel.htm>) but you need to have a current Lotus Notes ID or password. See if you've got that (or can get it from EZ Tech). They may not want to install it for you if you don't have it already since it's being discontinued at the end of 2017. If you run into trouble, then fill out the attached pdf completely, sign it, and then get your own Deputy Ethics Official (Shannon Kenny) to sign off and then return it to me. I'll enter it into the system manually for you.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Letendre, Daisy
Sent: Monday, October 23, 2017 11:01 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: Leaders In Technology at CES 2018

Good Morning Justina – could you provide guidance on whether I can accept this invitation? As background, I work with the Smart Sectors voluntary program in the office of policy and CTA who is hosting this event is one of our sector partners.

Let me know what you think...

From: Gary Shapiro [mailto:LITprogram@CTA.tech]
Sent: Friday, October 20, 2017 11:34 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Leaders In Technology at CES 2018

To view this email as a web page, go [here](#).



RSVP for CES 2018

Dear Ms. Letendre,

You are invited to be the special guest of the Consumer Technology Association (CTA)[™] at our nation's largest annual tradeshow - CES[®] 2018, to be held **Jan. 9-12, 2018** in Las Vegas, NV.

As a technology policy leader, you are invited to participate in our Leaders in Technology (LIT) program at CES. As a participant, you will experience firsthand the innovative consumer technology industry that drives the American economy and provides millions of U.S. jobs.

CES is the world's gathering place for all who thrive on the business of consumer technology. Featuring the largest, global hands-on showcase of emerging innovation, CES represents all aspects of the technology spectrum. As an LIT program participant at CES 2018 you will be able to interact with cutting-edge technology such as drones, 3D printers, and self-driving technology, as well as discuss the policy issues that govern such emerging technologies as part of the Innovation Policy conference program.

The program is also designed to meet the ethics requirements for privately-sponsored travel. The program, including guest rooms and the Leaders in Technology registration suite, is headquartered at the Encore at Wynn Hotel.

CTA is offering to provide your roundtrip airfare, lodging, transportation in Las Vegas from and to the airport, as well as the show sites and group meals during your stay in Las Vegas. Your office must provide advance written authorization for your participation in this privately-sponsored travel. CTA is not a lobbying firm, but does employ federal

lobbyists. If you are unable to accept CTA's payment but wish to participate, please indicate this during the registration process.

Register today at CES.tech. *This is a limited, non-transferable invitation and we ask that you reply by Nov. 17.*

We hope that you will be able to join us for the Leaders in Technology program at CES 2018 - the global stage for innovation.

Sincerely,
Gary Shapiro
President and CEO

This email was sent by: Consumer Technology Association
1919 S. Eads St., Arlington, VA, 22202 US

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Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 9/22/2017 2:04:25 PM
To: Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]; Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]
CC: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]
Subject: Ethics Clearance: Colorado Homebuilders
Attachments: image2017-09-22-100157.pdf

Hello Justina and Jennie,

Could you review the attached request to speak to the Colorado Association of Home Builders?

Thank you!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: DC-WJCS-3000-M@epa.gov [mailto:DC-WJCS-3000-M@epa.gov]
Sent: Friday, September 22, 2017 10:02 AM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject:

October 05

Dickerson, Aaron

From: Hale, Michelle
Sent: Wednesday, July 19, 2017 9:00 AM
To: Tobin, James
Cc: Morris, Madeline; Dickerson, Aaron
Subject: RE: Invitation for Administrator Pruitt

Thank you, Mr. Tobin. I'm looping in our scheduling team.

Michelle

From: Tobin, James [mailto:JTobin@nahb.org]
Sent: Tuesday, July 18, 2017 4:19 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>; Hale, Michelle <hale.michelle@epa.gov>
Cc: Tobin, James <JTobin@nahb.org>
Subject: Invitation for Administrator Pruitt

Sydney and Michelle,

I am reaching out to call your attention to a request (attached) from the Colorado Association of Home Builders for Administrator Pruitt to speak to a group of home builders and general contractors in October. The event will take place on the morning of October 6 in Colorado Springs, CO. NAHB will be participating in the event, as well, and I want to add our name to request. Our builders recognize the impact Administrator Pruitt is having on the regulatory burdens facing the industry and they would very much like to hear his vision for the future. NAHB is enjoying an excellent relationship with the Administrator and I hope you will seriously consider attending the Colorado event.

If I can answer any questions, please do not hesitate to ask.



JAMES TOBIN EVP, Government Affairs & Chief Lobbyist

National Association of Home Builders

1201 15th Street, NW | Washington, DC 20005

d: 202.266.8258 m: Ex. 6 - Personal Privacy e: JTobin@nahb.org w: nahb.org

We Build Communities



*Need a good beach read? Try NAHB BuilderBooks®
Finding Hidden Profits or any one of our 125+ publications.*

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Jump on those member discounts at nahb.org/ma.*

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COLORADO
— ASSOCIATION OF —
HOME BUILDERS

July 5, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RECEIVED
2017 JUL 11 AM 9:36

OFFICE OF THE
EXECUTIVE SECRETARIAT

Dear Administrator Pruitt:

I am writing to invite you to speak at a forum on the legislative and regulatory issues facing the construction industry that will take place on Oct. 6 at the Broadmoor Resort located at 1 Lake Ave. in Colorado Springs, Colorado.

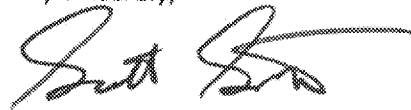
The forum will be from 9-11 a.m. and it will be followed by a golf outing and dinner reception that evening.

The event will be hosted by the National Association of Home Builders and the Associated General Contractors and is expected to draw around 300 audience participants.

A robust residential and commercial construction industry is essential to a thriving economy and to boost job growth. We appreciate your strong leadership in addressing the concerns of the nation's home builders and developers as you work to implement common-sense reforms to protect our water, air and land while simultaneously avoiding undue economic burdens for the nation's small business community.

We ~~deeply~~ appreciate your consideration of this request. If you have any questions, please contact me at Ex. 6 - Personal Privacy or email me at scott@hbacolorado.com.

Very Sincerely,



Scott Smith CEO
Colorado Association of Home Builders

Cc: Mr. James Tobin, NAHB
Ms. Renee Zentz, CEO, Colorado Springs Housing and Building Association

Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 4/28/2017 12:56:13 PM
To: Keith, Jennie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=79c2d25e4dfe45ceaf788a87f714cc0f-JKEITH]; Fugh, Justina [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=54afbe2e36d3481c8c52d27ba3979d47-JFUGH]
Subject: Time Sensitive Ethics Review
Attachments: image2017-04-28-085425.pdf

This one is on Monday. Would you please provide insight as to whether or not he may attend?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
202.816.1659 (c)

From: DC-WJCS-3000-M@epa.gov [mailto:DC-WJCS-3000-M@epa.gov]
Sent: Friday, April 28, 2017 8:54 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Subject:

The Lerner Family
&
George and Mari Will

invite you
to celebrate

THE NEW SEASON



Cocktails and Buffet

Monday, May 1, 2017

6-9 o'clock

9 Grafton Street
Chevy Chase, Maryland

Rsvp (703) 892-9430
baseball@atlantech.net
Valet Parking

Sarah Walton
Business Attire

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 5/23/2018 10:14:25 PM
To: Jennie Keith [Keith.Jennie@epa.gov]
Subject: FW: Faith & Freedom Graphic
Attachments: PruittFB.PNG

Did you see this?

Ex. 5 - Deliberative Process

From: Kunding, Kelly
Sent: Monday, May 21, 2018 3:18 PM
To: Keith, Jennie <Keith.Jennie@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Faith & Freedom Graphic

Jennie & Justina –

Would you mind letting me know if we can approve Faith & Freedom using the attached graphic to promote the Administrator's attendance? We will of course ask them to change "Sec." to "Administrator."

Thank you for your guidance.

Kelly Kunding
Deputy Director of Scheduling and Advance
Kunding.Kelly@epa.gov
202-568-9879

Message

From: Fugh, Justina [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=54AFBE2E36D3481C8C52D27BA3979D47-JFUGH]
Sent: 10/25/2017 9:46:16 PM
To: Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]
Subject: RE: Leaders In Technology at CES 2018
Attachments: travel form dcl1025172017-10-25-143119.pdf

Hi,

Just print out this one and then write the amounts in, okay? Neatness does not count!

Justina

From: Letendre, Daisy
Sent: Wednesday, October 25, 2017 5:36 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Leaders In Technology at CES 2018

Oh, my mistake. Is it possible for you to send me a copy of the form that is either possible to make these inputs in the pdf or one that I can print and enter the amounts for?

I don't have a lotus notes account (since I just stated in June) and it doesn't seem worth it to go through the trouble/time to have eztech make one for me if its just going to be eliminated.

Apologies for my confusion.

From: Fugh, Justina
Sent: Wednesday, October 25, 2017 5:32 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: FW: Leaders In Technology at CES 2018

How could Shannon sign this? There is no indication of what types of travel expenses you are asking OGC to approve, nor how much. You have to fill out the actual amounts.

Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Letendre, Daisy
Sent: Wednesday, October 25, 2017 4:22 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Keith, Jennie <Keith.Jennie@epa.gov>
Subject: RE: Leaders In Technology at CES 2018

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Sent: Tuesday, October 24, 2017 7:19 PM
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Subject: RE: Leaders In Technology at CES 2018

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Justina

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Letendre, Daisy
Sent: Monday, October 23, 2017 11:01 AM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: Leaders In Technology at CES 2018

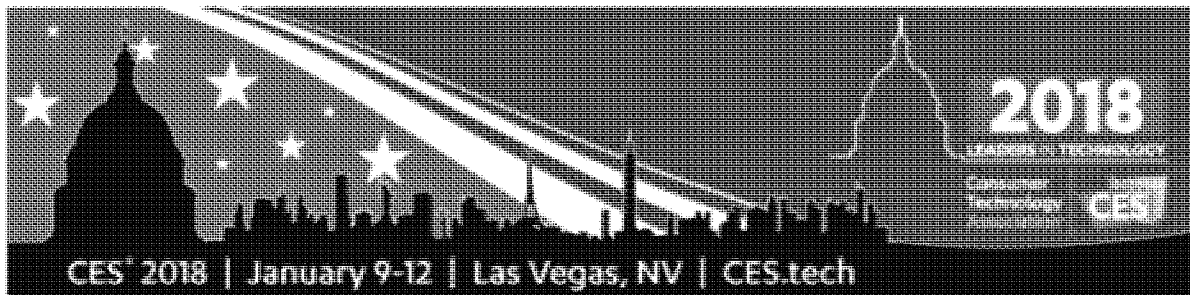
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Sent: Friday, October 20, 2017 11:34 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Leaders In Technology at CES 2018

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We hope that you will be able to join us for the Leaders in Technology program at CES 2018 - the global stage for innovation.

Sincerely,
Gary Shapiro
President and CEO

This email was sent by: Consumer Technology Association
1919 S. Eads St., Arlington, VA, 22202 US

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 3 7 2017

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Recusal Statement

FROM: Patrick Traylor
Deputy Assistant Administrator

TO: Lawrence Starfield
Acting Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations.

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I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

OBLIGATIONS UNDER EXECUTIVE ORDER 13770

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, Hogan Lovells US LLP, or any former client to whom I provided legal services during the past two years is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties.

RECUSAL LIST	
In effect until June 5, 2019	
FORMER EMPLOYER: Hogan Lovells US LLP	
FORMER CLIENTS:	
3M Company AB Volvo American Petroleum Institute BHP Billiton Petroleum (Deepwater), Inc. Bio Springer North America Corporation Bloom Energy Corporation Broken Hill Proprietary (USA) Inc. Calumet Specialty Products Partners, L.P. Crescent Point Energy US Corp. Daimler Trucks North America LLC Delfin LNG LLC Denbury Resources, Inc. Detroit Diesel Company Edison Transmission, LLC Flint Hills Resources, LLC Forest River, Inc. Fujicopian Co. Ltd. Fulcrum Bioenergy, Inc. Glenfarne Group, LLC Gopher Resources LLC Gulf Pacific Power, LLC Harbert Power Fund V, LLC Howard Midstream Energy Partners, LLC INEOS USA LLC Koch Companies Public Sector, LLC Koch Minerals	Latticework Capital Management, Inc. Meggitt-USA, Inc. Nextera Energy Resources, LLC NRG Energy, Inc. One Rock Capital Partners, LLC PPG Industries, Inc. QTS Realty Trust, Inc. RPM Access, Inc. SABIC Innovative Plastics US LLC SGC Energia Co LLC Solarcity Corporation Southern California Edison Co. The AES Corporation The C. Reiss Coal Company Thompson Pump & Manufacturing Company Transocean Offshore Deepwater Drilling, Inc. UGI Energy Services and UGI Development Company United States Steel Corporation Venture Global LNG, Inc. Vibracoustic GMBH Vopak LNG Holding B.V. Vopak North America Inc. Xanterra Parks & Resorts, Inc.

ATTORNEY BAR OBLIGATIONS

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

SCREENING ARRANGEMENT

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Larry Starfield to assist in screening EPA matters directed to my attention that involve my former employer or my former clients as a specific party. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving the entities on my recusal list should be directed to Mr. Starfield without my knowledge or involvement until after my recusal period ends.

If Mr. Starfield determines that a particular matter will directly involve any of the companies listed on my "specific party" recusal list, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination.

UPDATE AS NECESSARY

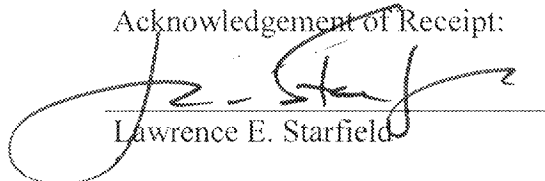
In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, OGC/Ethics, and any principal subordinates.

DISTRIBUTION

I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Senior Counsel for Ethics. I will also instruct my principal subordinates that all inquiries and comments involving any of the entities listed above should be directed to Mr. Starfield or you without my knowledge or involvement.

cc: OECA Office Directors
Justina Fugh, Senior Counsel for Ethics

Acknowledgement of Receipt:


Lawrence E. Starfield

Message

From: Barbery, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E219352056EA405A97C93FD9756CEB2B-ABARBERY]
Sent: 6/27/2018 10:46:31 PM
To: Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]
Subject: RE: Response Requested: ECOS Fall Meeting Attendance

Thanks, Kevin!

Andrea Barbery
Office of Intergovernmental Relations
U.S. Environmental Protection Agency
202-564-1397

From: Minoli, Kevin
Sent: Wednesday, June 27, 2018 6:14 PM
To: Richardson, RobinH <Richardson.RobinH@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: FW: Response Requested: ECOS Fall Meeting Attendance
Importance: High

Hi Robin and Andrea- Matt Leopold is tentatively attending as there may be a request for him to speak. As of now, he is the only OGC attendee. Kevin

Kevin S. Minoli

Principal Deputy General Counsel
& Designated Agency Ethics Official
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8064

From: Leopold, Matt (OGC)
Sent: Wednesday, June 27, 2018 4:00 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: RE: Response Requested: ECOS Fall Meeting Attendance
Importance: High

Happy for you to respond. Thank you. I am a tentative. There may be a request for a speaking opportunity.

From: Minoli, Kevin
Sent: Friday, June 22, 2018 9:59 PM
To: Leopold, Matt (OGC) <Leopold.Matt@epa.gov>
Subject: Fwd: Response Requested: ECOS Fall Meeting Attendance

Hi Matt- I am happy to report back for OGC for this, but obviously need to ask you whether you would like to attend or have someone attend. OGC generally does not attend when the meetings are outside of DC, but we have on occasion and certainly could this time if you wanted. [Stowe in September will be beautiful, but that's, of course, not a reason to go.]. Kevin

Kevin S. Minoli
Principal Deputy General Counsel &
Designated Agency Ethics Official
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

Begin forwarded message:

From: "Darwin, Henry" <darwin.henry@epa.gov>
Date: June 22, 2018 at 3:16:16 PM EDT
To: Leadership_Deputy_Regional_Administrators
<Leadership_Deputy_Regional_Administrators@epa.gov>, Leadership_Regional_Administrators
<Leadership_Regional_Administrators@epa.gov>, Leadership_Assistant_Administrators
<Leadership_Assistant_Administrators@epa.gov>, Leadership_Deputy_Assistant_Administrators
<Leadership_Deputy_Assistant_Administrators@epa.gov>,
Leadership_Associate_Administrators <Leadership_Associate_Administrators@epa.gov>,
Leadership_Deputy_Associate_Administrators
<Leadership_Deputy_Associate_Administrators@epa.gov>
Subject: Response Requested: ECOS Fall Meeting Attendance

Hello all:

I'm pleased to know that EPA staff at all levels are closely engaged with our state partners, and I understand that much of that engagement occurs through partnership with the Environmental Council of the States (ECOS). The [draft agenda](#) for the ECOS Fall Meeting in Stowe, Vermont, currently includes placeholders for multiple state-EPA discussions.

As stewards of the environment and of taxpayer dollars, however, we must responsibly allocate our funding and time. This is why I am asking you to please provide to Robin Richardson (richardson.robin@epa.gov) and Andrea Barbery (barbery.andrea@epa.gov) a list of the employees in your office who plan to travel to the ECOS Fall Meeting. Please include each person's name, title, and role at the conference.

Please provide your list to us by Friday, July 6.

Thanks very much,

Henry

Message

From: Carin Walters [CWalters@conservative.org]
Sent: 5/10/2018 3:19:30 PM
To: Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]
Subject: RE: Invitation for Adm Pruitt at Tonight's Reception

Kevin,

Thank you for your email! Secretary Acosta and Secretary DeVos are both attending, as well as multiple Members of Congress.

Carin

Carin Walters
Director of CPAC & Events
American Conservative Union

-----Original Message-----

From: Minoli, Kevin [mailto:Minoli.Kevin@epa.gov]
Sent: Thursday, May 10, 2018 11:09 AM
To: Carin Walters <CWalters@conservative.org>
Subject: Invitation for Adm Pruitt at Tonight's Reception

Dear Ms. Walters- I am the Designated Agency Ethics Official at EPA and Adm Pruitt's Office reached out to us to evaluate how the ethics rules apply to this invitation. After some initial conversations here I wanted to see if you were able to share whether you have invited other political appointees and, if so, have they confirmed? We often benefit from connecting with our colleagues at other agencies and working through these issues consistently.

Thank you, Kevin

Kevin S. Minoli
Principal Deputy General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040
Mobile: 202-297-6910

Message

From: Keith, Jennie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79C2D25E4DFE45CEAF788A87F714CC0F-JKEITH]
Sent: 6/7/2018 3:36:38 PM
To: Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]
Subject: FW: Dinner with Kay James

Kevin, Here's the advice I sent last night about dinner at a restaurant. Jennie for OGC/Ethics

From: Keith, Jennie
Sent: Wednesday, June 06, 2018 10:53 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
Subject: RE: Dinner with Kay James

Haley,

What is proposed here is fine. OGC/Ethics recommends using a restaurant, that way separate checks are available (rather than attending dinner at a house, which would also require payment to the host of the dinner). The Heritage Foundation is a prohibited source for the agency, so that's why the Administrator must pay for the meals of his spouse and himself (employees may not accept gifts from prohibited sources, and there are no gift exceptions to cover this kind of event, so even if other parties were to offer to pay for meals, he cannot accept that). The Administrator should maintain a record of payment (check or credit card and/or receipt of payment) to show he paid for the meals.

Thanks!
Jennie for OGC/Ethics

From: Ford, Hayley
Sent: Wednesday, June 06, 2018 6:58 PM
To: Keith, Jennie <Keith.Jennie@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Kunding, Kelly <kunding.kelly@epa.gov>
Subject: FW: Dinner with Kay James

Jennie –

I wanted to run the below dinner invitation by you. Kay Cole James is the President of the Heritage Foundation. Her son, Chuck James, is the former Deputy Attorney General for Virginia, and they worked together when Ken Cuccinelli was Attorney General in Virginia and the Administrator was AG of Oklahoma. They would all like to get together for dinner with their spouses. My understanding is that this would take place at a local restaurant but if that changes, I will update you. Administrator and Mrs. Pruitt would pay for their own meal.

Do you have any ethics concerns with accepting this dinner invitation?

Thank you!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: 202-306-1296

From: Imoehl, James [<mailto:James.Imoehl@heritage.org>]

Sent: Wednesday, June 6, 2018 1:05 PM

To: Ford, Hayley <ford.hayley@epa.gov>

Subject: Dinner with Kay James

Hayley,

I hope all is well with you!

Last time Mrs. James saw Administrator Pruitt they discussed getting together for dinner. The attendees were going to be Administrator and Mrs. Pruitt, Mr. and Mrs. James, and her son and his wife Mr. & Mrs. Chuck and Dawn James.

I believe Chuck used to work with the Administrator in some capacity which is why they all wanted to have dinner together.

Some initial dates of availability are:

- June 28th
- July 9th
- July 17th
- July 18th
- July 19th

Please let me know if this is something Administrator Pruitt is still interested in and if we can get a date locked in!

Thank you,
James

James Imoehl

Deputy Chief of Staff to the President

The Heritage Foundation

214 Massachusetts Avenue, NE

Washington, DC 20002

202-608-6038

heritage.org

Message

From: Coleman, Sam [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8246A5315FF54185AC8C8BF90D5A393E-COLEMAN, SAM]
Sent: 3/23/2017 11:05:10 PM
To: Dunham, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a9444681441e4521ad92ae7d42919223-SDUNHAM]; Starfield, Lawrence [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8a89d6cd217d4254a5879abecb3f314e-Starfield, Lawrence]; Minoli, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c9c0070d651a4625ac20258369f9b050-KMINOLI]
CC: Stenger, Wren [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c109285f44b14f70a224be41ab99e9e2-Stenger, Wren]; Gray, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=881c62b1e54142388c1de2f8e3799c33-Gray, David]; Taheri, Diane [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53dbbb43f15b408a86678669513f0a21-Taheri, Diane]
Subject: Re: External Meeting Request Form for Administrator Pruitt from Robert C. Wright, President and Owner of Murex LLC

Sure. Looping Larry and Kevin. Who is POC for coordination?

Samuel Coleman, P. E.,
Deputy Regional Administrator

214.665.2100 Ofc
214.665. 3110 Desk
214.665.2016 Cell

Coleman.sam@epa.gov

Sent from my iPhone

On Mar 23, 2017, at 5:12 PM, Dunham, Sarah <Dunham.Sarah@epa.gov> wrote:

Hi Sam-

Sure, if you are willing to host we'd be happy to be on the phone or video. We'd also want to include OECA. OAR/OECA have held many meetings on this topic over the years.

Sarah

On Mar 23, 2017, at 11:23 AM, Coleman, Sam <Coleman.Sam@epa.gov> wrote:

FYI. This came to me to hopefully us to hear the issue w/o the parties having to travel to DC. I would propose that we connect your team either VTC or phone. What do you think?

Samuel Coleman, P.E.
Deputy Regional Administrator
EPA Region 6
coleman.sam@epa.gov
214.665.2100 Ofc
214.665.3110 Direct

From: Hupp, Sydney
Sent: Thursday, March 23, 2017 10:12 AM
To: Coleman, Sam <Coleman.Sam@epa.gov>
Cc: Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: FW: External Meeting Request Form for Administrator Pruitt from Robert C. Wright, President and Owner of Murex LLC

Good morning Sam,

Hope this email finds you well! I handle scheduling for Administrator Pruitt and this request came across my desk. Ryan Jackson asked me to send it your way to see if it is a meeting you might be willing to cover? Please let me know if you have any questions for me.

Thank you!
Sydney Hupp
Office of the Administrator

From: Hale, Michelle
Sent: Thursday, March 23, 2017 9:52 AM
To: RBartel@murexllc.com
Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: FW: External Meeting Request Form for Administrator Pruitt from Robert C. Wright, President and Owner of Murex LLC

Hello, Rick, I am forwarding your request to our scheduling team. Thank you for reaching out to us.

From: Rick Bartel [<mailto:RBartel@murexllc.com>]
Sent: Friday, March 17, 2017 3:55 PM
To: Hale, Michelle <hale.michelle@epa.gov>
Cc: Robert Wright <ethanolbob@murexllc.com>
Subject: External Meeting Request Form for Administrator Pruitt from Robert C. Wright, President and Owner of Murex LLC

Dear Miss Hale,

I have attached an external meeting request form for Robert C. Wright, President and Owner of Murex LLC. As the form shows, he would like to meet with Administrator Pruitt for 15-30 minutes at the next available time and place. He can be very flexible in accommodating Administrator Pruitt's schedule.

We have summarized our request below and in the attachment (which is the same as the form below.) If you need backup for anything we will be happy to provide it.

Thank you. You have been very helpful and we appreciate your assistance.

Regards,

Rick Bartel, CFO, Murex LLC
7160 North Dallas Parkway, Suite 300, Plano, Texas 75024
Ex. 6 - Personal Privacy www.murexllc.com

<image001.png>

<image002.png>

<External Meeting Request Form for Administrator Pruitt from Murex LLC
(Robert C Wright) 03 17 17.docx>